

APPOINTMENTS IN THE ARMY.

JUDGE-ADVOCATE-GENERAL'S DEPARTMENT.

Capt. Beverly A. Read, Sixth Cavalry, to be judge-advocate with the rank of major from June 14, 1909, vice Maj. Frank L. Dodds, to be promoted.

Capt. Milton F. Davis, Tenth Cavalry, to be judge-advocate with the rank of major from June 14, 1909, vice Maj. Frank L. Dodds, to be promoted.

PROMOTIONS IN THE ARMY.

JUDGE-ADVOCATE-GENERAL'S DEPARTMENT.

Lieut. Col. Harvey C. Carbaugh, judge-advocate, to be judge-advocate with the rank of colonel from June 14, 1909, vice Col. Edgar S. Dudley, to be retired from active service.

Maj. Frank L. Dodds, judge-advocate, to be judge-advocate with the rank of lieutenant-colonel from June 14, 1909, vice Lieut. Col. Harvey C. Carbaugh, to be promoted.

CAVALRY ARM.

First Lieut. Samuel B. Pearson, Ninth Cavalry, to be captain from April 18, 1909, vice John C. Waterman, Seventh Cavalry, promoted.

First Lieut. Freeborn P. Holcomb, Fourteenth Cavalry, to be captain from April 26, 1909, vice Eugene P. Jervey, jr., Tenth Cavalry, who died on that date.

Second Lieut. Beauford R. Camp, Ninth Cavalry, to be first lieutenant from April 3, 1909, vice Douglas McCaskey, Fourth Cavalry, promoted.

Second Lieut. Seth W. Cook, Tenth Cavalry, to be first lieutenant from April 18, 1909, vice Samuel B. Pearson, Ninth Cavalry, promoted.

Second Lieut. Thomas B. Esty, Ninth Cavalry, to be first lieutenant from April 26, 1909, vice Freeborn P. Holcomb, Fourteenth Cavalry, promoted.

POSTMASTERS.

DELAWARE.

Charles C. Tomlinson to be postmaster at Delmar, Del., in place of Charles C. Tomlinson. Incumbent's commission expired January 27, 1908.

INDIANA.

James Nejd to be postmaster at Whiting, Ind., in place of Charles D. Davidson. Incumbent's commission expired January 9, 1909.

KANSAS.

Olga A. Krehbiel to be postmaster at Moundridge, Kans. Office became presidential October 1, 1908.

OHIO.

John M. Shafer to be postmaster at Edon, Ohio. Office became presidential January 1, 1908.

Harry M. Wolfe to be postmaster at Germantown, Ohio, in place of Robert S. Fulton, removed.

PENNSYLVANIA.

John E. McCauley to be postmaster at Charleroi, Pa., in place of John B. Branagan. Incumbent's commission expired November 24, 1907.

John W. Miller to be postmaster at South Sharon, Pa., in place of John W. Miller. Incumbent's commission expired December 15, 1908.

George L. Thomas to be postmaster at New Bethlehem, Pa., in place of Joseph I. Latimer, removed.

TEXAS.

J. R. Davis to be postmaster at Hutto, Tex. Office became presidential January 1, 1909.

VIRGINIA.

James F. Williams to be postmaster at Amherst, Va. Office became presidential April 1, 1908.

WEST VIRGINIA.

Frederick Moore to be postmaster at Belington, W. Va., in place of George M. Right. Incumbent's commission expired January 25, 1908.

CONFIRMATION.

Executive nomination confirmed by the Senate June 4, 1909.

CONSUL.

Charles L. Hoover to be consul at Madrid, Spain.

WITHDRAWAL.

Executive nomination withdrawn from the Senate June 4, 1909.

Capt. Beverly A. Read, Sixth Cavalry, to be judge-advocate with the rank of major from June 14, 1909, vice Maj. Frank L. Dodds, to be promoted, which was submitted to the Senate on the 3d instant.

SENATE.

SATURDAY, June 5, 1909.

The Senate met at 10.30 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington. The Journal of yesterday's proceedings was read and approved.

HOUSE BILL REFERRED.

H. R. 9609. An act to grant to John Rivett privilege to make commutation of his homestead entry was read twice by its title and referred to the Committee on Public Lands.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT laid before the Senate a memorial of the Fidelity and Deposit Company and 16 other surety companies of the United States, remonstrating against an appropriation of \$200,000 for the creation of a bureau in the office of the Treasurer of the United States to be known as the "fidelity bond bureau," which was ordered to lie on the table.

Mr. JONES presented a resolution adopted by the Commercial Club of Wenatchee, Wash., which was referred to the Committee on Commerce and ordered to be printed in the Record, as follows:

Whereas this community is deeply interested in having the rivers of the Columbia system speedily improved for navigation; and

Whereas under the present policy the appropriations for rivers and harbors on the part of the National Government are too small and spasmodic to accomplish results in the near future: Therefore be it

Resolved by the Commercial Club of Wenatchee, Wash., and by the citizens here assembled, That we heartily indorse the movement inaugurated by the National Rivers and Harbors Congress to secure the regular annual expenditure of not less than \$50,000,000 upon rivers and harbors throughout the Union, until our worthy rivers shall have been made serviceable for navigation and our worthy harbors deepened: Be it further

Resolved, That a copy of these resolutions be sent to each Member of the congressional delegation of Idaho, Washington, and Oregon.

Dated at Wenatchee, Wash., May 27, 1909.

R. F. HOLM,

W. S. TRIMBLE,

V. G. POGUE, *Committee.*

COMMERCIAL CLUB OF WENATCHEE, WASH.,

DENNIS W. KING, *President.*

LEM. L. MCKITTRICK, *President.*

Mr. JONES presented petitions of sundry citizens of Spokane, Wash., praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

Mr. DEPEW presented petitions of sundry citizens of Rushville, Mount Morris, and Clareville, all in the State of New York, and of Chicago, Ill., praying for a restoration of the duty on foreign oil production, which were ordered to lie on the table.

He also presented a petition of Wallkill Council, No. 92, Junior Order United American Mechanics, of Middletown, N. Y., and a petition of Harvey E. Eastman Council, No. 97, Junior Order United American Mechanics, of Poughkeepsie, N. Y., praying for the passage of the so-called "Overman amendment" to the tariff bill, proposing to increase the head tax on immigrants from \$4 to \$10, which were ordered to lie on the table.

He also presented memorials of compositors employed by the Rochester Herald, of Rochester; of the stereotypers, compositors, pressmen, and mailers employed by the New Yorker Staats-Zeitung, of New York City, and of the stereotypers, compositors, pressmen, and mailers employed by the New York Evening Post, of New York City, all in the State of New York, remonstrating against any change in the rates on wood pulp and print paper as fixed by the Payne tariff bill, which were ordered to lie on the table.

He also presented a memorial of members of the Chasmar-Winchell Press, of New York City, N. Y., remonstrating against the inclusion in the new tariff bill of any duty on news print paper and wood pulp, which was ordered to lie on the table.

He also presented a memorial of Local Lodge No. 3, International Brotherhood of Pulp, Sulphite, and Paper Mill Workers, of Glens Falls, N. Y., and a memorial of Local Lodge No. 4, International Brotherhood of Pulp, Sulphite, and Paper Mill Workers, of Palmer, N. Y., remonstrating against any reduction of the duty on wood pulp and print paper, which were ordered to lie on the table.

He also presented a memorial from the employees of the composing room of the New York Journal of Commerce, of New York City, N. Y., remonstrating against the placing of any duty on news print paper and wood pulp, which was ordered to lie on the table.

He also presented a petition of the employees of the Buffalo Evening News, of Buffalo, N. Y., praying for a retention of the duty on print paper and wood pulp as proposed in the so-called "Payne tariff bill," which was ordered to lie on the table.

He also presented memorials of the stereotypers, pressmen, mailers, and employees of the Journal of Commerce and Com-

mercial Bulletin, of New York City; of the Syracuse Journal, of Syracuse; of the Brooklyn Daily Times, of Brooklyn; and of the Cortland Evening Standard, of Cortland, all in the State of New York, remonstrating against any change from the rates on pulp and paper as fixed by the House bill, which were ordered to lie on the table.

He also presented a memorial of Local Union No. 241, International Brotherhood of Stationary Firemen, of Piercesfield, N. Y., and a memorial of Fenimore Local Union, No. 2, International Brotherhood of Pulp, Sulphite, and Paper Mill Workers, of Sandy Hill, N. Y., remonstrating against a reduction of the present duty on print paper and wood pulp, which were ordered to lie on the table.

Mr. FRYE presented a memorial of Local Union No. 12, International Brotherhood of Pulp, Sulphite, and Paper Mill Workers, of Millinocket, Me., remonstrating against a reduction of the duty on print paper and wood pulp, which was ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRADLEY:

A bill (S. 2535) granting an increase of pension to Eli Estridge; to the Committee on Pensions.

By Mr. CRANE:

A bill (S. 2536) granting an increase of pension to Murray V. Livingston; to the Committee on Pensions.

AMENDMENTS TO THE TARIFF BILL.

Mr. CURTIS. I submit an amendment to the pending tariff bill, and ask that it be printed in the RECORD and referred to the Committee on Finance. I will state that I offered the same amendment a few days ago, but there was a mistake in it.

There being no objection, the amendment was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

260. Stocks, cuttings, or seedlings of Myrobalan plum, Mahaleb or Mazzard cherry, Manetti multiflora and briar rose, 3 years old or less, \$1 per thousand plants; stocks, cutting, or seedlings of pear, apple, quince, and the St. Julien plum, and evergreen seedlings, 3 years old or less, \$2 per thousand plants; rose plants, budded, grafted, or grown on their own roots, 4 cents each; stocks, cuttings, and seedlings of all fruit and ornamental trees, deciduous and evergreen, shrubs and vines, and all trees, shrubs, plants, and vines commonly known as nursery or greenhouse stock, not specially provided for in this section, 25 per cent ad valorem.

Mr. BURTON submitted an amendment intended to be proposed by him to the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes, which was ordered to lie on the table and be printed.

THE TARIFF.

The VICE-PRESIDENT. The morning business is closed, and the calendar is in order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The VICE-PRESIDENT. The Secretary will announce the pending amendment, which has already been read.

The SECRETARY. On page 97, line 24, paragraph 313, after the words "cotton cloth," the committee propose to insert certain words.

Mr. BRISTOW. Mr. President, I suggest the absence of a quorum.

The VICE-PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Gallinger	Overman
Bacon	Crane	Guggenheim	Page
Beveridge	Crawford	Hale	Paynter
Borah	Culberson	Heyburn	Penrose
Brandegee	Cullom	Hughes	Perkins
Briggs	Cummins	Johnson, N. Dak.	Root
Bristow	Curtis	Johnston, Ala.	Simmons
Brown	Dick	Jones	Smith, Mich.
Bulkeley	Dillingham	Kean	Smoor
Burkett	Dixon	Lodge	Sutherland
Burnham	Dolliver	McCumber	Tillman
Burrows	Fletcher	McEnery	Warner
Burton	Flint	Martin	Wetmore
Carter	Foster	Money	
Clapp	Frye	Nelson	

Mr. JONES. My colleague [Mr. PILES] is temporarily detained from the Chamber on important business.

Mr. BURTON. I desire to state that the Senator from Pennsylvania [Mr. OLIVER] is detained at the White House.

Mr. FLETCHER. I desire to say that my colleague [Mr. TALIAFERRO] is unavoidably detained from the Chamber this morning.

The VICE-PRESIDENT. Fifty-eight Senators have answered to their names. A quorum of the Senate is present. The pending question is on the amendment of the Committee on Finance to paragraph 313.

Mr. ALDRICH. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DOLLIVER. Mr. President, I desire to say a few words. I do not know exactly how many, in reply to what has been said by members of the committee in relation to the effect of the Senate amendments upon the cotton schedule of the bill as it came to us from the House of Representatives.

I am especially anxious to avoid, so far as such a thing is now possible, any spirit of harshness in criticism of what has been said or done, but I will not be able to avoid a plain, straightforward statement, well supported by official figures, that what this committee now asks the Senate to do is not based upon the facts in this case, but in reality upon egregious errors, which will sooner or later come to light in the face of all men.

I am the last man in the world who would desire to say an unkind thing of the Senator from Rhode Island [Mr. ALDRICH] or any other member of the committee, although I must say that the facts developed in this case require somebody to speak words of truth and of soberness in respect to the representations which have been made, for the reason that we are asked to cast our votes here not upon testimony, but upon authority, and it becomes my first duty to inquire into the credentials of the authority that substitutes itself for facts and figures in connection with this case.

I regret that I am compelled to speak by the demand of the committee for an immediate vote upon this particular schedule before I can get an opportunity to see in printed form the remarks made by the Senator from Rhode Island, so that in what I shall say about them I am necessarily confined not by what I have read, as every man ought to be who undertakes to reply to a great speech, but to what I was able to hear last night.

The first thing I happened to hear that struck me as a little peculiar was that these Senate amendments affect only 10 per cent of our cotton importations. Did I hear that correctly?

Mr. ALDRICH. I think the Senator's hearing is good.

Mr. DOLLIVER. Very well. Then I confute it by the statistics put into the speech of the Senator from Utah [Mr. SMOOT], in which he showed that 70 per cent of the importations are affected by the changes in the ad valorem rate in Governor Dingley's law, and only 30 per cent are included in the specific assessments which are retained unchanged in these amendments.

If it is true that only 10 per cent of our importations of cotton cloth are affected by this conversion of the Dingley ad valorem into the Senate Finance Committee's specifics, how does it happen that we were furnished three days before with an elaborate book of statistics in which it was shown that of our total importations of cotton goods in the United States all of them were included in the Dingley ad valorem provisos except 30 per cent?

Mr. ALDRICH. Mr. President—

The VICE-PRESIDENT. Will the Senator from Iowa yield to the Senator from Rhode Island?

Mr. DOLLIVER. Certainly.

Mr. ALDRICH. If the Senator wants an answer, I will give it to him now.

Mr. DOLLIVER. It is a little matter of curiosity. I am here, very much younger in these things than my honored friend, seeking guidance.

Mr. ALDRICH. My statement was that less than 10 per cent of the total cotton importations, which amount in the aggregate to about \$78,000,000, including laces, were affected by this provision. I did not say that 10 per cent of the cotton cloth imported was affected by these changes, but I said 10 per cent of the entire importations of cotton.

Mr. DOLLIVER. Very well.

Mr. ALDRICH. I repeat it now; the amount is about \$8,000,000.

Mr. DOLLIVER. The Senator would have saved my strength and time if, when I quoted what he said, he would have corrected it.

Mr. ALDRICH. What does the Senator mean by that?

Mr. DOLLIVER. I mean to say that I understood the Senator to tell me that my memory of it was accurate.

Mr. ALDRICH. I said 10 per cent of the total importations.

Mr. DOLLIVER. That was not what I meant.

Mr. ALDRICH. That is what I understood the Senator to say.

Mr. DOLLIVER. Now, take another matter. I am as anxious to honor the Senator from Rhode Island as any man in this Chamber. Thirty years ago, in Rhode Island and everywhere, I carried in my satchel his speeches upon the tariff question and recited his statistics with a certain confidence, which, I confess, without any fault of my own, has gradually slipped away from my mind.

I hope the Senator from Rhode Island will remain here for a few minutes.

Mr. ALDRICH. I am engaged elsewhere.

Mr. DOLLIVER. I want to engage you here—

Mr. ALDRICH. All right.

Mr. DOLLIVER (continuing). Or make it understood that you propose to assault the criticisms made here by me and a few associated with me without giving me the opportunity to which I am entitled in debate. The Senator will not turn his back upon what I have to say here without taking the moral consequences which would naturally arise in the mind of a man anxious to get at the facts in this case.

I understood the Senator from Rhode Island to say that nobody in the United States had protested against this bill except a few New York importers.

Mr. ALDRICH. Against the amendments of the committee.

Mr. DOLLIVER. Against the amendments of the committee.

Mr. ALDRICH. If they have, they have failed to reach my ears.

Mr. DOLLIVER. Very well. I will say that they were introduced in the Senate and referred to your committee, though I do not pretend to say, and I do not accuse the Senator of negligence of duty, that he has read them; but he ought to hire a clerk to find out before he tells great audiences in this Chamber, before he tells the Senate, that no protests had been made against it.

I hold in my hand a memorial addressed by the dry goods trade of New York City to the Senator from New York [Mr. Root]. I find upon it the names of the most famous dry goods establishments in America.

Mr. FLINT. Mr. President, are they importers?

Mr. DOLLIVER. Some of them are importers; some of them are not importers. But the most of them deal in dry goods, of course dealing mainly in the domestic product, because they have \$500,000,000 worth of that to deal in, there being only \$14,000,000 worth imported altogether into the United States.

Mr. BEVERIDGE. May I ask also, if the Senator will pardon a question, whether they are American merchants and honorable men?

Mr. DOLLIVER. Of course. I do not intend to debate the question as to what our attitude ought to be toward American merchants.

Mr. ALDRICH. I should like to have the Senator, if it will not take too much time, read the names of those gentlemen.

Mr. DOLLIVER. I will.

Mr. FLINT. Mr. President—

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from California?

Mr. DOLLIVER. Certainly.

Mr. FLINT. I request the Senator also to designate, as he reads the names, those who are importers and those who are not importers.

Mr. DOLLIVER. I will read them and then designate those who are not importers. I will say to the Senator from Rhode Island that they not only include great merchants, but they include the greatest manufacturers of cotton in the United States.

I want first to show what this paper is. It is a protest in which the following statement is made:

At all early open hearings of tariff matters the trend of arguments of cotton-fabric manufacturers and others was in favor of letting things stand as they were. Advances were not asked on the Dingley basis of tariff; and with no expectation of any change, mills are sold ahead many months.

We appeal to you—

That is, the junior Senator from New York [Mr. Root]—

We appeal to you, confident of your active interest and cooperation, which this certainly warrants. Every home in this State requires your aid in this matter.

It is signed by—

Mills & Gibb, H. Elmer Gibb, president; Rogers & Thompson; John Darling & Co.; Chas. C. Copeland & Co.; Converse & Co.; J. Spencer Turner Co.; Faulkner, Page & Co.; Doull Miller Co.; Neuss, Hesslein & Co.; A. L. Reid & Co. (one of the gentlemen appealed to by the general appraiser, and one of his witnesses on the mercerization question);

Stern Bros.; Shipley & Blauvelt; Walter Turnbull; R. B. MacLea Co., R. K. MacLea, treasurer; Albert A. White; M. Park Parker; Tootle, Broadhurst & Lee—

Mr. ALDRICH. Will the Senator allow me to interrupt him right there?

Mr. DOLLIVER. Certainly.

Mr. ALDRICH. They are an English house of importers.

Mr. DOLLIVER. Very well. The next name is not an English importing house—"The American Printing Co.," of Fall River, the largest possibly of our domestic manufacturers of cotton goods—the company with which Bliss, Fabyan & Co. are connected as selling agents in New York. The head of this firm is not a foreign importer. He is surely a good American.

Mr. ALDRICH. Exactly.

Mr. DOLLIVER. And was once president of the American Protective Tariff League.

Mr. ALDRICH. The class of manufacturers referred to manufacture one class of goods which is not involved in this controversy at all and is amply protected by other provisions of the bill.

Mr. DOLLIVER. There are a good many people in this bill amply protected. Nobody came here and said he was not amply protected, but all the manufacturers of cotton cloth claimed they were fully protected.

Mr. BEVERIDGE. Will the Senator permit me? Did I understand the Senator to say that some person named there was recently president of the American Protective League?

Mr. DOLLIVER. Yes.

Mr. BEVERIDGE. I did not catch it quite.

Mr. DOLLIVER. Yes; the selling agent of the American Print Company in the city of New York.

Mr. BEVERIDGE. He was president of the American Protective Association?

Mr. DOLLIVER. The Protective Tariff League.

Mr. GALLINGER. The president of it?

Mr. DOLLIVER. I think so. Certainly he was the treasurer of the national Republican campaign committee.

Mr. GALLINGER. That is a different business.

Mr. DOLLIVER. I will go ahead with the names:

James B. Siewright; George Riggs & Co.; Remy, Schmidt & Pleissner; R. A. Whytlaw Son & Co.; Sherman & Sons Company; James F. White & Co.; C. Bahnsen & Co.; William Duncan; Wright & Graham; John McCann & Co.; Henry Glass & Co.; William Anderson & Co.; Stavert, Zigomala & Co.; George W. McCutcheon & Co.; E. McKittrick & Co.; Calhoun Robbins Company; Rapoport & Co.; H. B. Claffin Company; William Alsberg & Co.; W. O. Horn & Bro.; Johnson & Faulkner; Bonnet & Smith; A. A. Vantine & Co.; Arnold, Constable & Co.; P. K. Wilson & Sons; J. H. Thorpe & Co.; Edward McConnell & Co.; H. W. A. Page; Strohm & Romann; Titus Bletter & Co.; F. Schumacher Company; Milne, Leeming & Co.; Tefft Weller Company; James H. Dunham Company; William H. Brown Son & Co.; J. Grosse & Co.; Van Blankenstein & Hennings; H. Herrman, Sternbach & Co.

You notice in the petition the name of J. Spencer Turner, of the J. Spencer Turner Company. Are there any objections to his standing in society?

Mr. FLINT. If the Senator will pardon me once more, I will not interrupt him again. I do not mean to be placed in a position by the Senator that I am reflecting upon merchants doing business in New York.

Mr. DOLLIVER. I am not charging that. I am answering your colleague's statement that nobody but foreign importers had protested against the Senate bill.

Mr. FLINT. The point I make is that I understood some of those were foreign importers.

Mr. DOLLIVER. Let me show the Senator that I am right. No great house could be a mere importer of cottons in a city that handles nearly all our vast domestic output. Here is an instructive advertisement in the New York Journal of Commerce:

J. Spencer Turner Company, dry goods commission merchants, 86 and 88 Worth street, New York; Chicago, St. Louis, Philadelphia, San Francisco, London, and Manchester, sole selling agents for Washington Mills, Stark Mills, Woodberry Mills, Mount Vernon Mills, Columbia Mills, Franklinville Mills, Laurel Mills, Manchester Mills, The Turner Mills, Tallassee Falls Manufacturing Company, La Grange Mills, Imperial Cotton Company, Cosmos Cotton Company, Diana Mills, Hogansville Mills, H. B. Wiggins Sons Company, and United States Bunting Company.

Mr. SMOOT. Mr. President—

The VICE-PRESIDENT. Will the Senator yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. I do not intend to interrupt the Senator, but I would just like to ask him a question. Is not nearly every one of these manufacturing companies a manufacturer of white duck?

Mr. DOLLIVER. No; these are the representative cotton mills of the Southern States.

Mr. BACON. I will say to the Senator that I recognize them as being from my State.

Mr. SMOOT. And they manufacture white duck?

Mr. BACON. No; most of them are yarn mills. Some of them manufacture a class of goods that people make summer clothes out of, men's clothing and things of that kind.

Mr. DOLLIVER. Yes, Mr. President, their business amounts to millions of dollars per year.

American Printing Company, the largest print works and print cloth manufacturers of Fall River. Selling agents at New York, Bliss, Fabyan & Co. Mr. Cornelius N. Bliss head of house.

Faulkner, Page & Co., one of the largest and best known houses in New York; never handles foreign goods; very large concern.

H. B. Claflin Company, well known all over the world; little foreign goods used, mostly domestics; do business of millions. Recently organized a \$50,000,000 auxiliary company.

Tefft Weller Company and Jas. H. Dunham Company, the two largest distributors of cotton goods of almost entirely domestic origin in New York.

Converse & Co., one of the oldest, largest, and best known cotton goods commission houses in America; represents eastern and southern mills, and are highly respected everywhere.

Neuss, Hesslein & Co., large exporters of cotton goods to France and Germany and England.

I would not have read that petition if the Senator had not grown dramatic in demanding some evidence that somebody is taking an interest in this question, and he asks Senators to stand up and say whether they had heard from their constituents.

Mr. President, I have heard from my constituents, not alone the good people of Iowa, for whom I try to speak here, but from the people of every State in the Union, and of every city of importance, from all trades, conditions, occupations, and business enterprises of the community, letters that I would print except for the fact that many of them contain matter that might not be becoming to a man of my general timidity of character. What is the substance of the protest which I have in my hand, and the names attached to which I have read? It is very short:

We, the undersigned wholesale merchants of this city, strongly voice our protest against any increase in the tariff on cotton goods.

As we understand the matter there was no expectation on the part of the consumer or the electorate that a revision of the tariff by the party of protection would entail the radical increase which must take place if the Senate bill as reported becomes law.

Now, what were these merchants of New York talking about? They were talking about the amendments to this bill. I am now going to say a word in defense of the merchants of the United States. I have known a great many of them, and, so far as my knowledge goes, they constitute a most useful, enterprising, and worthy part of the population in each community in the United States. I confess that it made me not only mad, but sore at heart to find leaders of the Republican party reproaching the whole mercantile community with all the excesses and extravagances that have grown up in our market place. I myself have been reproached on this floor by fairly good people because I have been seen in the society of a young American merchant whose father has been for more than half a century a stalwart influence in our Republican faith.

When I was accused of talking with this young man—as bright a man in this business as there is on the Finance Committee of the Senate—I said, "MacLean, you have got to give a certificate of your character or I am ruined; not probably with the country, but in some quarters in the Senate." "Well," he said, "I have a certificate of character with me; I have it here; it is the general orders that I issued on the 27th day of October last to the dry goods divisions of the business men's parade, asking them to assemble and march under the Republican banner for William H. Taft." They marched, 19,000 in one body, and their commander is down here talking to me, and I can not utter a word on this floor without some Senator rising to say that I am representing foreign importers and trying to tear down the business and the tariff laws of the United States. I confess I am tired of it. If there are not more merchants in the United States than there are people interested in these scaly advances in this cotton schedule, I am greatly mistaken. If it is a wise leadership of the Republican party to assault and discredit and insult the mercantile community of America in the interest of these amendments of the cotton schedule, I very seriously misinterpret the duty of political leadership in the United States.

I am in a very peculiar situation, because I can not find out, to save my life, who is the author of these Senate amendments to the tariff bill. When I first took the floor here more than a month ago, and began a few cheerful comments upon the contents of this bill, for some reason that I have never been able to understand, I had the chairman of the Committee on Finance and his most honored associates on the committee up explain-

ing to the world the responsibility for the origin of this schedule. The Senator from Rhode Island said that the whole thing was prepared in the custom-house, or by expert officials of the Government. I will read exactly what he said, in order to avoid controversy should he reappear on these scenes of action.

Mr. ALDRICH. If the Senator will permit me just there upon that point, no manufacturer has been before the Committee on Finance in regard to this schedule. Every change that was made in it was made upon the recommendation of the government experts and nobody else; and it is now defensible and will be defended by the members of that committee whenever the schedule is reached.

Well, I then thought I was all right, and I organized my investigation with a view of including in the range of the discussion some of these custom-house officials; but I had not got very far with it before I had the most famous lawyer in America up defending the appraisers in the custom-house against the "unwarranted attack" that had fallen upon them in the Senate, and on June 1 we had the Senator from Rhode Island himself on his feet, telling the Senate, in substance, that he was mistaken four weeks ago in saying that these custom-house officials had recommended these amendments, for only on Tuesday he said on this floor, speaking of the same schedule:

So far as this one schedule is concerned, and the amendments which were reported from the Committee on Finance to the cotton schedule, the changes from ad valorem to specifics, Mr. de Vries never saw them until after they were prepared under the direction of the committee. No member of that committee ever had any conversation with him in relation to it. I will go a step further and say that no manufacturer in the United States ever saw them or was ever consulted with reference to them. They are the creation of the committee itself, and no man was consulted, either on the Board of General Appraisers or anywhere else, with reference to these provisions until the committee had decided what they should be.

I confess that that confused me a little; but before I got my mind organized to that situation, and was preparing to dismiss from consideration the custom-house in New York and resume my suspended attention to the Committee on Finance in the Senate, I heard last night, in the speech of the Senator from Rhode Island, that they had talked to these custom-house people, told them exactly what they wanted, and turned the making of these paragraphs over to them. The thing they wanted was a specific equivalent for the Dingley ad valorem, and the custom-house officials were left to make the rate and fix the dividing lines according to their judgment. Now, is that correct? I say these things because, before this bill is passed, I expect to have a few very definite things to say about the relations of that custom-house to the Government of the United States.

There is another thing that is troubling me. I have never been able to keep the Finance Committee upon the issue which is raised here. This is a great question, which involves every man, woman, and child in the United States. It involves one of our greatest industries—among the first, in the industrial life of the American people.

It is a great issue; and yet here we are fiddling away our time by debating by the hour features of it that have no significance in the controversy. As I have heard the Senator from Utah [Mr. SMOOT], the Senator from Rhode Island [Mr. ALDRICH], and the Senator from New York [Mr. DEFEW], I have not been able to get out of my mind the sentence in Mr. Emerson's essay on Nature, in which he says that—

No great cause is ever tried on its merits; it is divided up into particulars to suit the size of the partisans, and the contest is ever hottest on minor matters.

The great question before the Senate is whether the Dingley cotton schedule, operating well for twelve years, ought to be disturbed. There is nobody here intending to mutilate it. Even my honored friend from Wisconsin [Mr. LA FOLLETTE], feeling, as he does, that that schedule could be improved by a scientific investigation, harbors no purpose to make any suggestion that will interfere in any way with the law that has been enforced in the United States for the last twelve years. Therefore the question is whether the Republican party here revising the tariff should let that schedule alone. It is not a question of revising it downward, but it is simply a question of complying with the request of the cotton-manufacturing industries of New England to let it stand in all important details as it now stands; and yet from the beginning of the discussion we have had the issue befogged in the most amazing way.

I was laughed at when I came into the Chamber with a child-like simplicity and a lot of samples in my hand to illustrate how these proposed amendments would operate. Everybody smiled benignly at the rusticity of my method, and the newspapers very cheerfully printed pictures of my colleague and me under the legend "No trouble to show goods."

Everybody laughed, and I felt as badly about it as a man thus subjected to mild and humorous criticism would naturally feel; but I am feeling very much better about it now, because

I have seen the most dignified characters in the Senate address themselves to this honorable body with exactly the same kind of approach to their understanding. Even the Senator from Massachusetts [Mr. LODGE], our scholar in American politics, the most eminent producer of high-class literature among us—although we are sad to reflect that he leads now a lonely life in a world in which the consumer has entirely disappeared—even he, standing at his desk, exhibits his samples.

I was told then that these exhibitions of the exact way in which this tariff bill would work were not shown by the samples that I produced. Why? Because they had not passed through the custom-house and nobody could tell whether the figures on them were right or wrong. I would not have brought them into the Senate if I had not known that they were right. The figures on them were made by people who had paid the duties on them under the existing law, and the calculations of what changes would be made were very simple to a man who understands what is proposed in this bill. I would be perfectly willing to risk this whole question on taking out of that envelope my list of samples numbered, turning them over to the Treasury Department of the United States, and postponing this vote until the Treasury Department reported upon every particular of which I gave the Senate information in respect to them, but I suppose it would not be possible to get that done now.

Our controversy, then, has descended to this—not whether the tariff ought to be raised, not whether it ought to be lowered, but what has actually been done to it in this bill. I affirm that it has been subjected to a very large variety of more or less noticeable additions to duties now provided by law; and I shall proceed to prove that, if I may have the attention especially of those who do not desire to go to their constituents with the statement that they voted to increase these duties. I want to tell you gentlemen, however, it will be a great deal better for you to go to your constituents and tell them that you voted to increase these duties than for you to go to your constituents and tell them that these duties have not been increased. A man can defend himself for increasing a duty, but he will not be able to defend himself against the charge of not knowing what he was about. If Senators, acting on mere authority and dogmatic influence of distinguished people, vote for these amendments and go into the communities in which they live and tell the people that no changes have been made, they will find themselves subjected to embarrassment of a rather complex character. There is one thing the American people do not like. They often submit with patience to being robbed, but no American community is willing to be flim-flammed, and it is a good deal easier to defend a vote increasing a duty than it is to defend a proposition which claims that a rate has not been increased, when, in point of fact, it has been. Therefore I want to address myself to that question, and I intend to begin with a very fundamental kind of testimony.

There is one thing about an importer that makes him a very valuable witness in a case like this. He is the gentleman who goes down into his pocket and pays these duties, and, as the Senator from Rhode Island says, he is always a rather smart man and is usually so prosperous that he surrounds himself with very shrewd men; and therefore it looks to me as if one of these people who is likely to be called upon to pay these duties would be a fairly good witness as to the question whether the duties are going to be more or less than they are now. Does not that sound reasonable? Very well.

The Senator from Rhode Island said that there were the names of a very large number of importers on that petition which I read. What does it mean when these smart business men in New York engaged in the importation of merchandise say in a public statement:

We, the undersigned wholesale merchants of this city, strongly voice our protest against any increase in the tariff on cotton goods.

As we understand the matter, there was no expectation on the part of the consumer or the electorate that a revision of the tariff by the party of protection would entail the radical increase which must take place if the Senate bill as reported becomes law.

Is there anybody in the United States who thinks the merchants of the United States do not know as much about these tariff rates as we do here in the Senate? So the first witnesses I introduce are the merchants of the United States. The same testimony has come to me from Marshall Field & Co., of Chicago; from John V. Farwell Company, of Chicago; and from the most important merchants and business men of the State in which I have the fortune to live. If that were the only testimony I do not know that I should introduce it to the Senate; but these advertisements in the New York Journal of Commerce, from which I am now reading, were in the nature of a joint debate. As soon as that statement was put out there came to

the front two other men, whose names are caught like flies in amber in the literature of the tariff discussions of the present year—J. R. MacColl and Clarence Whitman, of Rhode Island. They are manufacturers of these goods which are to be affected by these increases, and you would naturally suppose that if anybody knows whether this law proposed a raise of duties or not these two brethren of Rhode Island would be apt to know. At any rate, I feel reasonably warranted in reading what they say about it:

The Aldrich bill—

They say in an advertisement printed on the 21st of April, 1909, in the New York Journal of Commerce:

The Aldrich bill will not affect the price of the great bulk of cotton goods.

Nobody claims that it will; nobody claims that it affects the price of any of the cotton goods that are manufactured in the United States down in the Southern States, and that marvelous burst of eloquence, that did such credit to the heart of the distinguished Senator from Rhode Island, in which he was reaching out for the sympathy and good will of the South, was not based upon any threat made in this bill or by anybody else against the industries of the South, for it is literally true that the great bulk of the cotton goods manufactured in the United States, the ordinary cotton goods or the cheapest—I will not say "ordinary," because in this country the very best has become ordinary—will not be affected.

It has added—

Say these two amiable gentlemen—

a small duty of 1 cent per square yard on goods that are mercerized, and it may increase the duty slightly on the finer and more expensive fancy cotton goods.

Now, mark you. I am debating with a group of gentlemen that say no increases have been made. I bring the merchant who says that he knows the increases have been made; I bring the manufacturer who says in a published advertisement that an increase of 1 cent has been made on the mercerizing process and that slight increases have been made in the finer classes of goods. But that is not all. I intend to approach these witnesses in the order of their authority.

We have next the message sent to Massachusetts the day the bill was reported, the Senator from that State saying, with conscious pride, that changes had been made of "enormous value to our great textile industries."

The other day the Senator from Utah [Mr. SMOOT] made a very powerful speech on this floor, a speech that reminded me of an oriental rug which lies upon a floor in the house in which I live. We bought it of a trusted friend, on account of its peculiar adaptation to the size of our room. They brought it in in the dusk of the evening, and we luxuriated in its beauty that evening by the fire light. The next morning we noticed that it did not seem to be very regular in its weave, that the coloration of the yarns was peculiar, and that the figures were more or less mixed and jumbled. We telephoned our friend to come up and take it back. He came up and convinced us in about twenty minutes that we had a treasure. He said: "That is an authentic rug. In this country it is almost impossible to be sure whether you are getting a real oriental rug or not, but where you find one woven in that way, the figures all jumbled, the whole thing mixed up, the yarns of different colors, you may be 'dead sure' that it is the real thing." Said I, "How do you make that out?" He said, "You can see at a glance that the whole family has been working on it." [Laughter.]

So I made up my mind, by applying the well-known rules of higher criticism to the speech delivered here by my honorable friend from Utah, that it had at least equal credentials of authenticity. That being so, it is a little surprising that, starting out to confute the proposition that this bill makes no raises in the cotton schedule, he should unconsciously, without even knowing it himself, admit the exact thing for which I am contending. Let me illustrate what I mean.

In the first place, the Senator from Utah admits that, compared with the present state and condition of the Dingley law, upward changes have been made. So that the only pretense that the committee makes of having left these duties unchanged, or reduced them, is not by comparing them with the Dingley law, but with what they claim the Dingley law looked like ten years ago! So he says:

The bill was reported reflecting the views of no man or men except the committee, and calculated to levy fair, uniform rates of duty, producing the most possible revenue, and levying an equivalent ad valorem less—

Not less than the Dingley law, but—

less than that provided by the Dingley law as contemplated by the Congress.

I will come after a while to interpret that. I call your attention now to the fact that they do not pretend even to use the Dingley law which we have on the statute books now as their standard, but a Dingley law that existed in the mind of a man by the name of Edwin A. Hartshorne, who was turned out of the appraiser's office in New York for incompetency in the interpretation of the statute which he was called upon to administer.

My honored friend from Utah says that the theory upon which these changes have been made is very simple. He says that in the Dingley law many of the duties were specific, and he goes on to show that they were absurdly high. I ask you brethren of the South to catch the idea. The specific rates which the manufacturers of cotton cloth have enjoyed in the United States without anybody's question for nearly a century are absurdly high, while the duties on high-class cotton cloth are lower than the duties on the coarse cotton cloth.

The Senator led up to that argument in a most interesting way. He informed us that we produced cheap cotton goods in the United States; that our facilities are poor, our skill is deficient, and that, for some reason or other, we have not entered the higher ranges of cotton manufacture. He seemed fearful that a failure to act promptly would result in giving the market for fine goods to foreigners and keeping the market for coarse goods for our own people.

Therefore, what we are chiefly interested in in the United States is the ordinary, cheap, old-fashioned cotton cloth. That was a beautiful tribute to New England to say that we do not manufacture the finer grades of cotton goods in the United States. I deny it, and I call the attention of the Senator from Utah to what I am about to say.

The mills of New England not only manufacture the highest grades of cotton cloth that are manufactured in the world, but they invented the machinery to manufacture them and are now selling the machinery to the mills of England to bring them upon a par with us in the progress of that great industrial art, and yet the Senator from Utah, offering himself as a guide to the Senate in its deliberations on this matter, says that we have got to be very careful; we only manufacture the lower-grade stuff in this country and are importing the others, and here we put the duty absurdly high on the cheap goods that we are manufacturing and we have left it absurdly low on the others. Then he says, Gentlemen, we have not raised the rates in this bill; we have simply equalized them.

Mr. OVERMAN. Does that mean that they have lowered them?

Mr. DOLLIVER. No; they have not touched the high ones.

Mr. OVERMAN. Have they lowered the duties on the common goods?

Mr. DOLLIVER. No; not at all. They have left the ones that are "absurdly high" exactly where they are and equalized the schedule, without raising any rates.

Mr. BEVERIDGE. The term "absurdly high"—

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Iowa yield to the Senator from Indiana?

Mr. DOLLIVER. Certainly.

Mr. BEVERIDGE. The term "absurdly high," as I understood the Senator to say, was a quotation made from the speech of the Senator from Utah, was it not?

Mr. DOLLIVER. I will read his language. He speaks of this difference between the level of rates on the coarse goods and the rates on high goods, and then he says:

These absurdities, so far as can be done by preserving present rates, are wiped out by the Senate bill.

The only absurdity he pointed out was the fact that the duties on the low-grade goods were greater than on the higher ones. That was the absurdity, and he has wiped it out without changing the high ones and without raising the lower ones. I do not accuse him of knowing what the exact effect of that language which he delivered so ably to the Senate was, but I undertake to say it will require some explanation before a man's constituents if he goes into an ordinary community in the United States, and says: "We found two levels of rates, one high and the other low. We have left the high ones exactly as they are, and we have equalized them without raising the lower ones." If a man can do that, he will understand the mystery of the economy often practiced by Congress, by which salaries are never raised, but always equalized. [Laughter.]

I have now the mercantile community, all experts in this business, claiming that these rates have been raised.

I have the manufacturers, experts in promoting this legislation, admitting they have been raised. I have the Senator from Utah unconsciously allowing the cat to escape from the bag by reading to the Senate language to which he has not accustomed his sight, and the Senator from Massachusetts prematurely con-

fiding to his constituents early notice of the "enormous value" of what had happened to them in the bill reported from the Finance Committee. I have all these witnesses testifying upon this question. But if that were all, I would not address this argument to the Senate.

Mr. TILLMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. DOLLIVER. Certainly.

Mr. TILLMAN. Applying the arguments to the facts, or the so-called "facts," produced on the other side of the Chamber, it seems to me—at least it has dawned on me—that we have two Dingley laws.

Mr. DOLLIVER. We have two Dingley laws, one existing on the statute books and one in the imagination of the Senator from Rhode Island.

If I found these four witnesses all united upon this question and still refuted by statistics, I would throw them all overboard, because while I have not much confidence in homemade figures, unless I make them myself, I have considerable confidence in the statistical tables that are prepared by the Government of the United States. The only way they mislead anybody is when they happen to be put into the hands of inexperienced persons. It requires more skill to translate statistics than it does any language or jargon ever spoken in this world.

But some of the statistics are comparatively simple. From the beginning of this Government we have had only one way of telling what the general level of the rates of a tariff law is. That is to take the total of the importations and the total duties paid, and by a little process of division determine the ad valorem rate. That has been the official method of this Nation for more than one hundred years, and the integrity of that proceeding I never heard questioned until last night, in the heat of the debate, when my honored friend the Senator from Rhode Island [Mr. ALDRICH] undertook to argue that that method of telling the rates in a tariff law are antiquated and not up-to-date. Antiquated as it is, it is the only basis which he has of predicting the prospective revenues of this Government, for, appearing on this floor with the authority of a great committee behind him, he told us within 50 cents—he made it fractional—exactly what the revenues were to be under this bill. And yet he has no figures except these ad valorems, and these statistics made by the experts of the Treasury and the Department of Commerce and Labor, in relation to the paragraphs of the measure.

If anybody will look at the statistics he will be satisfied that they show an increase in these rates. Open, for example, the speech of the Senator from Utah [Mr. SMOOT]. He is kind enough to give us the numbers of the paragraphs, the estimated duties under the Senate bill, based on the importations of 1907, the equivalent ad valorem under the present law and the Senate bill, and that statement which he makes there shows that the ad valorem equivalents of the Senate bill, compared with the present law, are a very substantial increase in the rates. And he is absolutely correct about it.

So we have now four witnesses—the importer, the manufacturer, the statesman, and the statistician—and they unite in saying that the duties have been raised. But even with those four witnesses I would not dare to approach this subject on the floor of the Senate, owing to my want of confidence in various kinds of information, without going through the mill of the customhouse and applying these rates to the actual goods and merchandise. The science of logic must have reached a very unhappy state when that is regarded as a light form of evidence as to what this bill does to cotton goods.

I call your attention to this fact, for although most of you probably heard it, some of you did not: The Senator from Wisconsin took five samples of imported merchandise, all of the ordinary character of ladies' dress goods, to the custom-house in New York and had them assessed for duty, not by Mr. Parkhill, but by the chief of the division in which Mr. Parkhill is only an assistant.

He had them assessed exactly as they would be assessed if introduced for the first time from a foreign country; had the change in duties which would be required by the application of this bill to the identical goods, calculated by the appraising officers, and he stood on this floor, with the goods in his hand, and the Finance Committee in full retreat, and asked anybody to say whether that was not conclusive evidence of what the effect of this bill was upon actual cotton goods brought into this country.

Some people laugh at that kind of an argument. They say it is the average we ought to look at. Nobody pays a duty at the

custom-house at the average ad valorem for 1907. Nobody pays a duty at the custom-house on an ad valorem that dates back to 1900. A man pays a duty under the law as applied to the importation on the day he draws his check for the duties. You can not fool anybody who pays a duty by telling him that the average in 1900 was this or that. The average has nothing to do with it. Suppose there were three of us standing upon the street corner. I have had three square meals that day. You have had nothing to eat. Some cheerful statistician connected with the Department of Commerce and Labor or the Finance Committee of the Senate comes up with a pencil and undertakes to prove that we have had an average of one meal apiece. That situation has no sense in it, and it has no sense in it when, to a man complaining about duties being raised, it is said, "Oh, no; that is the average of 1907." Yet that is the exact sort of logic with which we were presented not only the other day, but last night, with the galleries looking for light.

So, we have here five witnesses—the merchant, who studies the questions, and knows more about it than all of us; he says the duties have been raised; the promoting manufacturers—they say the duties have been raised; the Senator from Utah [Mr. Smoot], who unconsciously admits that they have been equalized—the low rates up to the level of the high ones; the Senator from Massachusetts [Mr. Lodge]; the statistics of the Government of the United States, verified for the Senator from Wisconsin by the Department of Commerce and Labor; and the goods themselves introduced into this country through the custom-house, with our own officials applying the act of 1897 to them, and the act of 1909, as the Senator proposes to make it; and they make their memoranda on the actual merchandise.

I beg you gentlemen, especially you young men, who will have to fight the battles of the Republican party in the next twenty years, after a good many of the authorities of to-day have disappeared from our affairs, not to degrade the Senate of the United States, a great deliberative body, able to cope with practical questions, to the level of an uneasy congregation of intellectual come-ons. [Laughter.]

But my friend the Senator from Rhode Island says that all this is immaterial; that strange and marvelous things have happened to the Dingley tariff law during these twelve years; and I will tell you, Mr. President, the funny thing about that which has struck me. Nobody ever heard of that until we began to agitate about these advances in the cotton schedule. The manufacturers never heard of it, apparently, because they certainly would have mentioned it to the House committee. The honorable Senator from Rhode Island says they did not know what was going on in the custom-house. Bless his innocent soul, they know more about it than anybody else; they have their agents there at every hearing, and sometimes it has been suspected that their relations have been even more intimate.

If they had been affected by adverse decisions of the courts running over a term of years, why did they not say so when they appeared before the Ways and Means Committee of the House? They did mention the decisions of the courts, but as you are aware they referred to them only to say that they had settled important questions, given necessary definitions, fixed the law so that the people could understand it, suggesting that it would be no service to the community to change the law, because, instead of being injured by the decisions, the law had been shaped, purged of error, and made intelligible and equal in its operations. Do I not quote their testimony with substantial accuracy?

What, then, has happened to the Dingley tariff law? I undertake to say that nobody knew that anything in particular had happened to it until this debate began. The Senator from Rhode Island has Mr. Parkhill down here now. He introduces him to our attention with a word of commendation from me. I never saw him in my life. I never heard of him as a statistician. I never dreamed of him as a statesman. I referred to him as an experienced judge of the value of cotton goods. I never expected to hear the Senator from Rhode Island, famed as few living public men are in America, cast aside the cloak of his senatorial dignity and rest his case not upon his own argument or his own knowledge, but upon an ambiguous and worthless certificate of a government clerk in the custom-house of the United States. I never expected to see a thing like that in the Senate of the United States.

But I am told it is not unusual. I am told it happened in 1897, and that we had the peculiar spectacle here of the Senator from Arkansas, Mr. Jones, and the Senator from Rhode Island, if I am not mistaken, reading certificates from the same man in relation to the sugar schedule, and each of them contradictory of the other; and if I had the time and the detectives necessary,

I could exhibit a very similar situation here, for Brother Parkhill has suddenly arisen out of the obscurity of an appraiser of cotton goods to the ranks of a statistician, until he has at last been put forward as a guide and an authority for statesmen in the most dignified legislative body in the world. I think I could make out that he was rather critical about this bill and did not hesitate to confess his indignation to sundry persons prior to the time that he was summoned here to help explain it to the committee. If he is such a valuable man, why was he not brought here to help frame it? He never appeared here at all until it became necessary to interpret it to its authors.

Mr. GALLINGER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from New Hampshire?

Mr. DOLLIVER. Certainly.

Mr. GALLINGER. It seems to me the dignity that has come to Mr. Parkhill came through the exploitation made by the Senator from Wisconsin, he having been in conference with Mr. Parkhill and citing him as his authority to prove matters entirely different from what the Senator from Rhode Island insists is correct.

Mr. DOLLIVER. He did get into the society of the Senator from Wisconsin without a written order from the President of the United States requiring him to put his knowledge, not of statistics, but of cotton goods, at the service of the Senator from Wisconsin.

Mr. GALLINGER. That does not make any difference.

Mr. DOLLIVER. It was a hard struggle to secure the privilege for an ordinary Senator on this floor to talk with this appraising officer. I do not intend to go into that now, however. It was an uneasy hour for Mr. Parkhill when he was thus put forward to substitute his memory of transactions involving millions of money and years of time, the fallible guesswork of a scared subordinate, for the official statistics of the Government.

He was not here when these schedules were drawn. They did not send for him. They had appraisers here when the cotton schedule was drawn, but not cotton appraisers. They had people here, but they were not people who had any knowledge of these questions. My attention was attracted to Mr. Parkhill by the fact that he did not seem to be enjoying his isolation in New York. While members of the appraising board, engaged in appraising other lines of manufactures, were here telling the people about cotton, he was left there to meditate from day to day upon the progress of events. But I do not intend to discuss that.

I intend now to take up the question of what has happened to the Dingley tariff law, and before I do that it will be necessary for me briefly, and compactly, to state what the Dingley tariff law was. It was the Wilson tariff law plus a few amendments added by Governor Dingley in the House of Representatives. I have become disillusionized in these latter years. When I hear a law called after a man's name, I unconsciously try to see if I recollect the name of the humble worker who wrote it and made the investigation necessary to create the reputation which attaches to it, who passes, as this world goes, into obscurity, while the statesman to whom he handed his memoranda goes down into history among the celebrities of our national life. That is a tragedy, but I am not going to weep over it just now.

The cotton schedule of the Dingley tariff law was the act of 1894. Governor Dingley was a straightforward man, who did not hesitate to say that the manufacturers wrote it. He had reputation enough at the time to warrant him in saying that the manufacturers of cotton in New England had fixed the cotton schedule of the Wilson tariff law exactly as they thought it ought to be fixed; and I am not here to say they did not on the whole fix it right, because I have not had time to dig into it, but I think they got it pretty nearly right. What did Governor Dingley do? I got the impression from what the Senator from Rhode Island said that the cotton schedule of the Wilson tariff law did not have these ad valorem provisos in it. If that impression was correct, the Senator from Rhode Island was mistaken. The Dingley provisos were in the Wilson bill, and the difference between the two bills was that in the last section but one, the ad valorem in the provisos, was raised from 35 to 40 per cent, and an additional paragraph made for threads, counting more than 300 to the square inch—made dutiable in addition—and a proviso inserted for assessment of an extra duty upon figured goods produced by other than the ordinary threads. So you see there was no change worth speaking about between the Dingley tariff law and the Wilson tariff law.

Why did Governor Dingley increase the ad valorem on the higher ranges of cotton cloths? He did it because these fine new processes were already being talked about. I remember hearing mercerization talked about, although I did not know

what it meant, and it had not been made commercially available at that time. But I did hear him talking about highly wrought fancy goods and the necessity of increasing the ad valorem on those grades, so that as the manufacturing industry advanced the ad valorem would catch every increase of value and report it automatically at the custom-house. That was his scheme.

The Senator from Rhode Island talks as if—I wish he were here, because I do not like to say what I am now about to say without the presence of the Senator, whom I propose to bring to strict account as our leader on this floor. The Senator from Rhode Island says that the cotton schedule of the Dingley tariff law has been emasculated; that the provisions which Governor Dingley put into it have been nullified by decisions of the courts and other people; and that the law has been so pulled apart that it is proper for him, in stating whether this bill raises the duties, to apply his rates not to the importations that exist now, but to the importations that existed before the emasculation took place.

In the first place, Mr. President, the facts are not accurate. These decisions of which the Senator from Rhode Island complains were not made until three years or more after the Dingley tariff law had been in operation. They were not made, to be accurate, until Colonel Tichenor, chairman of the Board of General Appraisers, was dead and in his grave.

The Senator from Rhode Island owes something to me, something to his colleagues here, when he stands on the floor to state what the Dingley tariff law intended to do. He said that it intended to apply a rate of 60 per cent to a large variety of cotton cloths. I deny it. Is there any rate in the cotton schedule for cloths that takes 60 per cent in the present law, I ask the Senator from Utah?

Mr. SMOOT. I have felt that I would not interrupt the Senator.

Mr. DOLLIVER. It does not bother me at all. I am merely trying to get at the facts and what I regard as such a misrepresentation of the situation as to warrant everybody's attention.

Mr. SMOOT. The Dingley law in paragraph 339 did provide for a great many of these goods at 60 per cent.

Mr. DOLLIVER. Was that in the cotton schedule?

Mr. SMOOT. I will not say it was in the cotton schedule, but it does name cotton goods, such as etamines, vitrages, nettings, etc.

Mr. DOLLIVER. Is it in the cotton schedule?

Mr. SMOOT. It is not in the cotton schedule.

Mr. DOLLIVER. Does the Senator know what schedule it is in?

Mr. SMOOT. If the Senator did not think I knew he would not ask me.

Mr. DOLLIVER. I would not. But in what schedule is it?

Mr. SMOOT. Paragraph 339, and—

Mr. DOLLIVER. What schedule? And so it turns out that one of the chief experts of the committee, who spent more time talking about etamines and vitrages here than anyone else, is not able to state to the Senate in what schedule in the tariff act of 1897 the provision in respect to vitrages and etamines are.

I have given a good many years' attention since 1897 to these schedules, and I hope to reach a point one day in the deliberations of the Senate when I will be free from any insinuations that my information is picked up on street corners. I wish the Senator from Rhode Island were here. I should like him to stand on his feet and say whether old Governor Dingley, who entered upon the tariff legislation of 1897 with the statement that he proposed to reduce all the McKinley rates, as far as he could, and certainly not increase but reduce those cotton rates, put in a provision applicable to cotton cloth at 60 per cent. And yet the Senator from Rhode Island says that a large variety of cloths that were supposed to be dutiable at 60 per cent were declared not so dutiable and therefore the Dingley tariff law was emasculated.

Now, what are the facts? The provisions in the tariff act of 1897 for etamines and vitrages originated in the House committee of which I was a member. It originated with Colonel Tichenor. I said to the Senate the other day that I enjoyed a peculiar source of information and had found peculiar enthusiasm in my work in this session of the Senate in the possession of all the papers of Colonel Tichenor, papers of which I have the custody, with a view, if leisure ever comes to me, to pay the proper tribute to the man who knew more than all the rest of our statesmen put together about these matters, and yet went down to his grave without proper recognition and with only the loving tribute of those friends who knew him and had been familiar with the labors and sacrifices of his life.

I have not only enjoyed access to his papers, but I have had the kindly assistance of his son, H. D. Tichenor, who was his

private secretary during the days of his greatest activity, a young man typical of the best intelligence in our American life, a studious man, a man who knows what a fact is when he sees it, and who can detect statistical humbug upon a moment's investigation.

He has helped me, and I pause long enough to express my grateful appreciation that he has stayed here at this Capitol, out of mere enthusiasm for the work, for I have not a dollar to pay for his services, and by day and by night has helped me in the effort I am making to serve the people of the United States. I thank him for it, and I never look at him without remembering the thirty years in which Col. George C. Tichenor, without fame or advertisement, did the hard work of tariff revision for both Houses of Congress.

I have here, exactly as Colonel Tichenor prepared it, paragraph 339 of the flax schedule. Do you suppose that Governor Dingley ever intended to put millions of dollars' worth of cotton cloth into the flax schedule? Do you suppose the Senator from Rhode Island ever gave his consent that a paragraph under which \$49,000,000 worth of laces and embroideries are imported annually into the United States should include in it also millions of dollars' worth of ordinary cotton cloth at 60 per cent ad valorem and be sneaked into the schedule provided for jute and flax and linen? You can tell that to persons with a very much less experience than I have had in the world in which we live.

I will print the etamine clause of the Dingley tariff act from the manuscript of Colonel Tichenor as a part of my remarks, but I will read it to show how foolish the proposition is that Governor Dingley thought he was levying a tariff on cotton cloth of any kind. It says:

Laces, lace window curtains, tidies, pillow shams, napkins, bed sets or other lace articles, handkerchiefs, wearing apparel, and other articles made wholly or in part of lace, or in imitation of lace, by whatever name known, not elsewhere specially provided for in this act; nets or nettings and veillings, etamines, vitrages, edgings, insertings, galloons.

Will the Senator from Rhode Island in the daytime stand on this floor and say that either he or Governor Dingley intended to put a million dollars' worth of cotton cloth in the linen schedule between veillings and edgings under the name of etamines and vitrages? I do not think he would make the statement in daylight.

Mr. GALLINGER. Are etamines made of linen?

Mr. DOLLIVER. They are made of linen and of wool and of cotton. Although I never saw them made of wool, I believe, I met a dry-goods man coming up this morning who said he had.

Now, fortunately, Colonel Tichenor left on record in his notes exactly what he meant by it. As he was the only man in Washington or who has been in Washington since who knew what an etamine or a vitrage is, I hope the Senate will regard his authority as at least worth their attention. He says:

The articles—

He does not say "the cloths"—

The articles known as "etamines" and as "vitrages" are also named, for the reason that their classification for duty has been the subject of considerable dispute and some litigation.

So the Treasury Department was familiar then with what the articles were.

They assimilate more or less to embroideries, nettings, and veillings, being fancifully wrought articles with openwork and lace embroidered effects, and belong to the category of trimmings and other fancy articles.

That is what the man who wrote the bill and handed it in the original manuscript to Governor Dingley in the exact form in which it passed the House and the Senate of the United States said these words meant, and that was the exact interpretation it had until Colonel Tichenor was in his grave. Then occurred in the custom-house one of those curious things which are getting altogether too common over there. An amiable old gentleman, who was afterwards separated from the service by Secretary Shaw, as I was informed by others, because he seemed to have an interest in the linen business, contrary to the statutes applicable to the employment of appraisers, was in the cotton division of the appraisers' stores. When he got in there, he began to act a good deal the way our old friend Corporal Tanner was said to have acted when President Harrison appointed him Commissioner of Pensions. They said he put his feet upon the table and said, "God help the surplus!" So when Colonel Hartshorne became appraiser he says, "We will see what can be done to these people."

So he proceeded to explore an old dictionary that was lying around that office, where you may see it any day you may go in, somewhat battered by the flight of time; and in Cole's Textile Dictionary he got a definition of etamine, which is preserved in Mr. de Vries' decision overthrowing the appraisers' classification. He found out from that definition that there was a way in which any kind of cloth where the threads do not

torch one another—in other words, any cloth with a hole in it—is an etamine; and he proceeded to make etamines out of quite a considerable variety of goods, although very small in actual amount, as was afterwards shown. As fast as he made the decisions, Mr. de Vries overruled him. So the decision which I quoted here the other day overruled these foolish interpretations of the Dingley law.

Yet the Senator from Rhode Island stood on this floor and denounced these decisions as outrages which had emasculated the Dingley tariff law, which had turned aside the tariff law of 1897 from its benign purposes as to cotton cloth, and denounced the decisions as originating with British importing interests, and as so grave an offense as to inspire speeches from the committee by the day here. He denounced them, apparently without knowing that Judge de Vries, as he is already called by the Senator from Rhode Island—I reckon in anticipation of honors yet to come—was the man who mutilated the Dingley tariff law. Judge de Vries was the man who overruled these appraisements. Judge de Vries was the man who robbed the Treasury of the United States of these untold millions by overthrowing decisions made by Mr. Hartshorne during the period of his brief and ridiculous authority in the appraiser's office.

Mr. BEVERIDGE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Indiana?

Mr. DOLLIVER. Certainly.

Mr. BEVERIDGE. This is the first time an explanation has been made of those decisions, and I wish to know whether I get the matter correctly in my mind. So it turns out that the decisions of which so much complaint has been made, and which are said to have mutilated the law, really state the meaning of the law as it was stated by Colonel Tichenor, who drew the law.

Mr. DOLLIVER. Certainly; and by every intelligent man who ever read it.

Mr. BEVERIDGE. The decisions then establish the meaning of the law as it originally was and as it was interpreted until Colonel Hartshorne made his ruling.

Mr. DOLLIVER. Exactly.

Mr. BEVERIDGE. That is a new explanation and an important one.

Mr. DOLLIVER. Mr. Hartshorne has been making speeches ever since on the etamine question. He has been making speeches on etamine at every cotton manufacturers' association he attends, and he talks about the mutilation of the law.

Mr. TILLMAN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. DOLLIVER. Certainly.

Mr. TILLMAN. I understood the Senator to say that a new definition of etamine was "cloth with a hole in it."

Mr. DOLLIVER. I mean a hole between the threads—cloth woven so that the threads do not touch.

Mr. TILLMAN. Cloth with a hole in it?

Mr. DOLLIVER. Yes; that was the basis of the appraiser's ruling.

Mr. TILLMAN. The mutilation of the Dingley law of which the Senator from Rhode Island complains was that ruling of Mr. Hartshorne overruled by Mr. de Vries.

Mr. DOLLIVER. Yes; the ruling of Mr. Hartshorne.

Mr. TILLMAN. He kept on patching the hole as fast as the appraisers would stop it.

Mr. DOLLIVER. Exactly; and the curious thing about it is that these decisions which have robbed the Treasury of so much money and which have so mutilated this law are all acquiesced in by this committee, and the words "etamines and vitrages," if my memory is correct, disappear from the law as completely as if these delightful names had never existed among men. There is no more 60 per cent on cotton cloths, no more humbugs about this matter; the whole subject is dropped exactly as Mr. de Vries dropped it in his decision in 1904.

Mr. TILLMAN. The Senator will recall the fact, I think, that the Senator from Rhode Island was asked not only once, but three times, to give us the names of the judges, whoever they are, who had mutilated the Dingley law, and we never could get him to do it.

Mr. DOLLIVER. I am going into that question pretty fully.

Mr. TILLMAN. I am very glad to hear it.

Mr. DOLLIVER. I am going into the question of those decisions.

The decisions took cotton cloth, ordinary woven fabrics of cotton where you could count the threads, ladies' dress goods, and put them back, and the Board of General Appraisers' de-

cision was accepted by the Government of the United States as right, and neither judge, nor lawyer, nor statesman has ever disputed the accuracy and correctness of the General Appraiser's decision until we hear these matters paraded here as outrages that had been perpetrated upon the Dingley tariff law.

Now, what was the purpose of that? Let me tell you. I am sorry to be compelled to yield to a certain kind of suspicion that has only come upon me lately. What is the purpose of dragging this old etamine decision in? When the Senator from Rhode Island first spoke here on the cotton business he said he could demonstrate to the Senate that no changes had been made. I waited four weeks. I got in a hurry. Every time people quit talking here they seem to want to vote on this question. They had a cynical idea that it was just as well to discuss it after it had been adopted as it was before, a philosophy that I trust may never become acceptable to the Senate of the United States.

What is the purpose of exaggerating these decisions? How much was involved in all of those decisions? It was necessary in order to get some standards by which it could be shown that the average rates of the Senate bill had not been increased over what the Dingley law was contemplated to be. It was necessary to show that the Dingley law had been wickedly and fearfully emasculated. Therefore, it becomes important to know just what was involved in these etamine decisions. I want to say to you Senators, especially to those of you who are uncertain in your own mind about this question, we are entitled in this Chamber to knowledge if we can get it. What knowledge did we get last night? We got a statement signed by a lot of gentlemen in the New York custom-house that these schedules proposed for our adoption were not in excess of what the schedules of the Dingley law would have been if it had been left alone by the appraisers and by the courts. In other words, it is admitted that the rates are in excess of the Dingley rates as they exist now, applied to the business of to-day.

But they are less, say these willing witnesses, than the rates the Dingley law would have had if Colonel Hartshorne had been allowed to transfer the entire cotton-cloth schedule to paragraph 399 in the linen classification of vitrages and etamines at 60 per cent. Well, that may be true. Yet it is important for us to know exactly what effect those decisions had, and it is not difficult for any man to get it. What do you think of the chaifman of a great committee coming here with a statement from a government clerk that while these rates are in excess of the Dingley law as it is now written on the books they are not in excess of what the average ad valorem would have been shown in the Dingley law if it had been left alone as it was originally framed and not subjected to these emasculating decisions of Mr. de Vries.

Therefore it became somebody's business to find out what effect these decisions had on the Dingley tariff law. If the Senator from Rhode Island had made the statement which he made last night four weeks ago, as I must be excused for thinking he ought to have done, and if I had been assured then that he was asking the Senate to vote on this schedule, not upon statistics or facts, but upon a guess by a young man in a cotton division of the custom-house in New York as to what the Dingley tariff law would have been if the appraisers and the courts had not disturbed Colonel Hartshorne—if I had dreamed that he would have had the conscious sense of influence here to put a proposition like that before the Senate, I would have been able to find with absolute accuracy what the effect of these decisions would be. But by getting up early this morning I rejoice to say that I have been able to find out even now with accuracy what is involved in these matters, and I want those of you who heard the speech of the Senator from Utah [Mr. Smoot], returning again and again to these etamines, to listen to me while I tell you exactly what influence these decisions had on the importations and upon the revenues of the United States.

I want now to take up what the Senator from Utah had to say about these decisions. I will ask you to turn to his speech where he points out exactly what happened to what he called "samples of different goods." I take it for granted that he took the most favorable samples, and I also take it for granted that he took all the samples that he could get hold of. If he did not, I call upon him when he renews his observations, if he does so, to add to that table which appears printed in his speech any other goods which he thinks were affected. He says, after talking about nothing but these decisions about etamines and drawn work and doilies and tidies and various other things:

I ask permission to insert in the RECORD at this point, without reading, a table giving sample lists of rates reduced under these decisions.

If you will turn to the CONGRESSIONAL RECORD of June 1, 1900, you will see this table, and there he puts down 14 articles that have been affected by the adverse decisions of courts. The first thing I desire to call his attention to is that of these 14 articles which were affected by adverse court decisions, 6 of them were not disturbed at all in the rates which they had at 60 per cent. They were 60 per cent when the rates were assessed. They are now assessed at 60 per cent. Why? Because they are etamines. He first puts down molleton cloth. I showed the Senate the other day a specimen of molleton cloth. Little goods of that description are imported, and the book of statistics shows that all kinds of bleached goods under 50 threads to the square inch, molleton cloth included, amounted to only about \$5,000. So any decisions which may have been rendered affecting molleton cloth could hardly have entered into this situation.

Mr. TILLMAN. The Senator may be coming to it, but for fear he may not, I should like to have him explain what decision it was that the Senator from Rhode Island alluded to last night, which has been sustained by the Supreme Court, calling for a refund of \$500,000, and that we are losing \$5,000,000 a year owing to this mutilation of the Dingley law by a certain decision of somebody, but I have never been able to get it.

Mr. DOLLIVER. I intend to go into it with absolute minuteness and fairness; only I am sorry that I shall be compelled to say things that I would not on my life say if I did not think they were true, in the absence of the Senator from Rhode Island from this Chamber.

In regard to the table showing effect of decisions upon certain lines of cotton cloth and articles, as presented by the Senator from Utah [Mr. Smoot], it will be noted that the rate claimed to be assessed previously in all instances but the first time is given at 60 per cent. As a matter of fact the Senator from Utah did not go far enough in explaining how this came to be assessed. In many instances the cloths referred to in the 14 different items given were only assessed at 60 per cent by the assistant appraiser at the port of New York, Mr. E. A. Hartshorne, who held that any piece of cotton goods with a hole in it should be called an etamine, because, as I have said, he dug up some definition of an etamine in the dictionary that he technically applied. Consequently he appraised a variety of many countable cotton goods as etamine, applying the duty thereon at 60 per cent. It is probably these estimates that the Senator from Utah has used as his basis in referring to subsequent decisions that reduce such duty.

I want to take these items just as the Senator from Utah gives them. I have already referred to molleton cloth. That can not enter very largely into the mutilation of the Dingley law, because, while the decision reduced the duty from 60 per cent down to nearly nothing, the importations seemed to go down even faster than the duty. The truth is we have not imported it in any appreciable quantity, and I presume it is made here cheaper than it is anywhere else in the world.

The second one was stiff foundation embroidery cloth, being an unbleached cloth under 50 threads. The total imported in 1907 was only \$16,274 of this class and of all other classes of this variety. Anybody can see that it is trivial and unimportant.

Now, items 3 and 4 were etamines, and were assessed at 60 per cent, and appraisers and courts upheld this 60 per cent on them as etamines, and as it is admitted by the Senator from Utah they still pay 60 per cent, no argument, therefore, is necessary about it. The law was upheld as to them, and why he put them in that table is a matter which might occupy a few of his leisure moments in explaining to himself.

Five and six are lappets, 2-ply warp and weft. Lappets were never assessed as anything but countable cotton, according to their count and weight, except when Mr. Hartshorne chose to apply his system of "any cloth with a hole in it is an etamine," a decision that was instantly and immediately reversed by the Board of Appraisers as fast as it was rendered.

Seven is marked on the table of the Senator from Utah as an etamine on a 6-ply warp and weft, being composed of more than 3-ply warp and weft yarn, hard twisted; it had always been assessed at 60 per cent as an etamine. There is very little of this imported per year, or very little of it used, in fact.

I was told by a merchant in this town that if there were \$200,000 of these goods offered on the streets of New York to be given away for nothing they could not dispose of that amount, because it is used only by a few people as a basis for embroidery. Somebody told me, a girl in a store downtown here, that it is a kind of cloth most used by persons in the remote rural districts to embroider the proposition "God Bless our Home."

The eighth item in the Senator's table is scrim, a 2-ply warp and weft.

Now, scrim is not an etamine, as it is sold and known as cotton cloth. That is all I need to say about it; and if anybody in the Treasury Department ever decided that scrim was etamine and belonged to embroidery, such a man would run not only the risk of being held incompetent, but those of us less charitable would have some other interpretation of conduct like that.

The next item is an etamine, 3-ply warp and 3-ply weft, 50 to 100 threads. That was assessed as an etamine. It is now assessed as an etamine, and nobody has emasculated or proposed to emasculate that provision of the Dingley law except the Senate committee; that drops etamine out of the list and disposes of all these articles when they are made out of cotton yarns of any sort in some of the provisions of the cotton schedule of the proposed act.

The tenth was curtain drapery, 2-ply warp and weft, belonging in paragraphs 305 and 313; in the proposed law in paragraphs 313 and 321. At present it is assessed at 30 per cent, plus 2 cents per square yard. It is proposed to assess it at 7 cents a square yard, plus 2 cents per square yard on account of the appearance upon it of extra threads appearing to be colored.

The change that was made in the Senate bill, so far as I am able to make out—I will ask the Senator from Utah if I am correct—is to take those goods which are now dutiable as bleached cotton cloths less than 100 threads per square inch and make them dutiable as colored cotton less than 100 threads, plus the 2 cents for extraordinary threads. Am I correct about that?

Mr. SMOOT. I suppose the Senator has reference to lappet goods?

Mr. DOLLIVER. I had reference to cotton draperies.

Mr. SMOOT. That comes under the countable cloths, as I stated here, and I had a sample of it.

Mr. DOLLIVER. But the decision which was rendered by the courts puts it under the countable cloths.

Mr. SMOOT. Before the decision of the court it was held at 60 per cent. The law was administered at 60 per cent until the decision of the court reduced it, as I stated.

Mr. BEVERIDGE. Administered by the appraisers?

Mr. SMOOT. Administered by the appraisers.

Mr. DOLLIVER. The Senator does not refer to those decisions which the Senator from Rhode Island spoke of last night, which determined that these goods with the color of extraordinary threads should be put into the colored bracket of 313 instead of the bleached bracket.

Mr. SMOOT. I refer to the original administration of this particular class of goods. It was held to come in at a rate of 60 per cent, and through the decision of the court it was reduced to the countable paragraphs 305 and 313.

Mr. DOLLIVER. The decision of the Board of Appraisers was rendered many years ago.

Mr. SMOOT. It was rendered about 1904.

Mr. DOLLIVER. In 1904. There has been no dispute since.

Mr. SMOOT. The whole dispute here is as to the amount of goods affected by the decision.

Mr. DOLLIVER. The decision to which the Senator from Rhode Island referred last night dealt with the question as to whether these goods with colored threads in the extraordinary attachment should be assessed under the countable clause of paragraph 313 as colored goods or as bleached goods. That was the question which was recently decided by the courts.

Mr. SMOOT. The question decided by the courts recently, Mr. President, as I understand it, was that wherever a piece of cloth with extraordinary colored threads, and the warp and filling of it are white threads, if the extraordinary threads were not clipped, then it was counted as a colored piece of cloth; but if they were clipped and a figure was shown in the piece of cloth by so clipping, then the threads were not counted, and it was counted as a piece of white cloth; and so far as the dutiable part of the cloth is concerned, only the warp and filling threads were counted, and none of the extraordinary threads were counted.

Mr. DOLLIVER. So it appears, Mr. President, that the only case in which 60 per cent can be paid upon cotton goods is where it is found to be one of the various kinds of goods covered by paragraph 339 of the flax schedule, such as laces, lace window curtains, embroideries, nettings, ruchings, tuckings, insertings, and similar articles, never intended by Congress to be embraced as countable cotton cloths.

Does the Senator from Rhode Island or the Senator from Utah contend that it was the intention of Congress to classify cotton cloths not made up into articles, nor manufactured into anything else, as "manufactures of cotton not specially provided for" in this act at 45 per cent ad valorem? Yet when the appraisers have classified cotton cloth as "manufactures of

cotton" at 45 per cent, and such classification has been overruled by the Board of General Appraisers and the United States courts, we are told that such decisions of the board and of the United States courts are fraudulent and in vicious perversion of the purpose of the framers of the Dingley law.

If there were fewer such stupid classifications made by appraising officers in the first instance; if a fair, sensible, and logical interpretation of the intent of Congress were given by the appraising officers in the first instance, we would not have occasion to be criticising the United States courts for what some claim are "fraudulent decisions that have almost completely nullified the intent of Congress regarding this schedule." It seems to me to be perfectly clear that the intent of Congress has not been nullified, but that the misinterpretations of Mr. Edwin A. Hartshorne, assistant appraiser, formerly of the cotton division of the appraiser's stores of New York, have been nullified by the decision referred to by the Senator from Rhode Island as being fraudulent. The misinterpretations of this appraiser in assessing all cotton cloths that had holes in them as etamines, vitrages, veillings, and laces, at 60 per cent ad valorem, the rate for such goods under the flax schedule, became the laughing stock of the mercantile community. This man never pretended to follow the real intent of the law in fixing rates of duty on cotton goods. He invariably picked out the highest rate he could find in the tariff and applied it, or rather misapplied it, to suit his own peculiar ideas. He was regarded as a jest by all the members of the Board of General Appraisers and by all who officially came in contact with him. It is no wonder he classified cotton cloth at a duty of 60 per cent under paragraph 339 of the flax schedule, for reasons which I have already explained to the Senate.

Now, I want to ask another question. Does the Senator from Utah or the Senator from Rhode Island believe that the refunds made during the past ten years by reason of these decisions regarding the interpretations of the paragraphs of the cotton schedule amount to more than 1 or 2 per cent of the total cotton importations of that period?

Mr. SMOOT. Mr. President, I do not particularly care about going into that now, but I will state that it does not seem to me that you can take the importations under paragraphs 303 to 313 and compare the ad valorem rates with those of 1898 and 1907, but you will see an advance in those ad valorem rates of over 306 per cent.

Mr. DOLLIVER. Does the Senator from Utah see no other reason for that?

Mr. SMOOT. Well, I was going to explain to the Senator, but if he does not wish—

Mr. DOLLIVER. I should like the Senator to explain it.

Mr. SMOOT. If the Senator does not wish I will not give it.

Mr. BEVERIDGE. I think it is due to the Senator that he should go ahead.

Mr. DOLLIVER. I should like the Senator to go ahead. I did not mean to interrupt him.

Of course, there are those variations, but they do not arise from these decisions; they arise, I think, from a variation in the value of the specific articles imported.

Mr. SMOOT. The decision of the court and of the appraisers was just what brought this about. Between the two years there was only an increase in the specific rates of 22.40 per cent, while in the same time the ad valorem rates had increased over 306 per cent, showing that these very goods which originally, as the law was administered up to 1904, carried 60 per cent were thrown into the countable clause, increasing the ad valorem rate 306 per cent.

Mr. DOLLIVER. Mr. President, I should say that that arose from an increased importation at that time. I certainly never heard of a statistician who would make such an interpretation of figures as has been made just there. There is a difference in the equivalent ad valorem between those years, because there was a constant rise in the prices of articles imported, which would show a different ad valorem, of course. There was more money collected under the fixed ad valorem, not because the decisions of some courts intervened, but because the rising prosperity of the market place invited a constantly increasing importation. I suggest that what I undertake to say would be the interpretation by any man who has the leisure to reflect upon the situation.

I will undertake to prove that the decisions of the court have nothing to do with it.

I intend to do it in a way that I think this committee owe it to the Senate to do, rather than in the way they have tried to prove their case. With the custom-houses of the country open, with the books open, it lay within the power of this committee to explain in accurate figures exactly what influences upon the

revenue had been made by these correct and righteous decisions of the appraiser's office and of the courts of the United States; yet, with accurate sources of information at their hands and a solemn responsibility resting upon them to furnish the Senate with exact facts, they argue by the hour in their own poor strength in this matter, because even a horde of Treasury officials, in a hand-to-hand contest with the multiplication table, are at a great disadvantage even in the Senate of the United States. Instead of giving us facts, they present an affidavit by an employee that, judging by his recollections of what happened during the last twenty years, while he has been appraising \$14,000,000 worth of stuff a year, judging by what he can recollect of it, there must have been 30, or 8, or 6 per cent of the stuff of various kinds affected by these decisions. I say that no more shabby exhibition was ever made in the Senate of the United States than when the leader of the Republican party turned aside from his own manuscript, gave up his effort even to try to explain this himself, and read us a certificate of character for this bill, signed by the official underlings who have been loafing around the headquarters of the Committee on Finance during the last sixty days.

Mr. CRAWFORD. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from South Dakota?

Mr. DOLLIVER. Certainly.

Mr. CRAWFORD. I should like to ask the Senator from Iowa if, under all the investigations he has made, it appears that any cotton industry suffered or that any laboring men employed in that industry were thrown out of employment or had their wages reduced because of the construction placed upon the Dingley law, which reduced the rate?

Mr. DOLLIVER. No; Mr. President, every department of the cotton industry has flourished uninterruptedly since 1897; and I rejoice in it. Every workingman has retained his employment; every working woman and every working girl has retained her wages, which have steadily advanced. They sailed through the panic with hardly a ripple in that great industry. To-day, or within the last few months, as was shown by the Boston Advertiser the other day, they are enlarging their works in all the cities of New England, counting on the Dingley tariff law being maintained.

No voice was raised in any quarter of the cotton trade asking that these things be done. The very men who came here representing the industry not only declared that they wanted no changes in the law made, but they made no reference to these decisions of the courts except to say that those decisions had settled the law and made it plain, and they gave that as a reason for leaving it alone, which the committee has used as a reason for changing it.

I said I was fortunate in being able to state with accuracy just what amounts of money were involved in these decisions; but I will tell you, my friends, that it was rather a close call on me to get these exact figures. We came mighty near being left with our feet firmly fixed on this custom-house affidavit, asserting the nullification and emasculation of this law, signed by the very General Appraiser who, sitting in the gallery, was compelled to hear his action advertised as a raid on the revenues of the United States by evil-minded importers bent on getting all of the money out of us that was consistent with the statutes in such case made and provided.

If I had not an unusual amount of energy I would have been left with nothing except that precious certificate of character of the committee signed by its clerks. [Laughter.] But, fortunately, I got up early and made my way to the Treasury Department. I went into the office of the Acting Secretary and I said to them: "Now, gentlemen, we are spending a good deal of money to keep books here. I heard a good man say last night that a certain decision of the courts of the United States has cost the Government of the United States \$500,000 on account of the refund of the tariff collections, and I heard the same good man say the same night that these etamine cases had so robbed the revenues and wronged the cotton-goods industry as to affect the ad valorem upon our annual imports and amount to a scandal and a reproach to all good men."

"I want to know if there is a corner in this building where a man, who is in an awful hurry, can find out just how much money was involved in all these etamine decisions put together?" "Well," he said, "we do not keep those books here, but we are working on them now at New York. The figures will probably be over to-morrow, and, maybe, to-day." I said, "Too late; the figures I must have to-day." "Well," he said, "maybe we can get them over the long-distance telephone." He called up the assistant collector of customs at the custom-house in New York and said to him, "Have you figured out how much money

the United States refunded to the importers on account of the etamine decisions?" You see, they collected 60 per cent on them, but the appraisers made them give it up. "How much money did you lose and how much did you refund?" These imaginary millions, wandering like ghosts through the aisles of the Capitol of the United States, filling the great statistical speeches of the Senator from Utah and the Senator from Massachusetts and even the Senator from Rhode Island; these raids on our Treasury; these perversions of our laws; these nullifications of the intent and purpose of Congress—how much was involved in all of them; how much did you have to give back? Fifty-five thousand dollars! There it is [exhibiting] in the handwriting of the man who took the report over the long-distance telephone from the custom-house in New York.

Mr. BEVERIDGE. All of it?

Mr. DOLLIVER. All of it—\$55,000! Gentlemen, do you know what I think about this? I think that there is a dust raised here to conceal transactions that need the attention of every Member of the Senate of the United States. "Well," you say, "was not there a case involving more than that?" There [exhibiting] is the humble merchandise that I have made so popular as an exhibit in the Senate of the United States that even Senators with great dignity of character and a nicety of parliamentary behavior, to which I have never even aspired, have imitated my candor in exhibiting before the Senate. My honored friend from Rhode Island exhibited it last night. What is it? It is a madras curtain. Has the United States ever had any controversy with anybody about that? Oh, yes; a great controversy. What was the controversy about? "Well," Governor Dingley said, "these people are putting extra threads on this cheap cloth and those threads cost like everything when you clip them to form a figure. They want 2 cents a yard more on account of the presence of those threads there in this cheap bleached cotton. Let us give it to them; they want it; it is not much." Everybody said, "All right; let us give them 2 cents a square yard by reason of the presence of those colored threads outside of the warp and woof of that cloth." Well, time went on, and these fellows said: "That is not a white cloth," and everybody said, "No; that does not look to me like a white cloth." The fellows said, "Why ought not we have that cloth entered under the bracket for colored cloth?" "Well," the courts said, "you have got 2 cents on account of the presence of those extra threads there without regard to their color. Is that not enough?" They said, "No; we want you to take this cloth out of the bleached bracket and put it into the colored bracket of the Dingley ad valorem, under paragraph 305." The courts said, "We will not do it; you have got your 2 cents on those threads, and now you will take your ad valorem applicable to the foundation of the cloth without regard to the color of those threads." That was the controversy that stirred the heart and fired the imagination of the Senator from Rhode Island.

What would be the effect? If it was bleached, it would get the 2 cents and 25 per cent ad valorem, and if it was colored, it would get the 2 cents and 30 per cent ad valorem. Therefore, there was 5 per cent ad valorem at stake; and yet the Senator from Rhode Island, our leading statesman, the master of his party here, the undisputed oracle of our faith, sent to the Secretary of this Senate last night, without even a single word of comment, and asked him to read a clipping which created the impression upon the Senate that the Government of the United States had lost \$500,000 by refunding the duties improperly collected. Is that the impression that it made on you?

Suppose you were charged with the responsibility of guiding the judgment of your fellow Senators here, would you send up to the Secretary's desk an anonymous newspaper clipping stating the complicated problem involved in the effect of such a decision as that, and then appeal with mock heroics to men who ought to be as wise as you are upon these questions to save the Treasury of the United States from an unjust raid like that? It was not becoming in the Senator from Rhode Island. If he had opened his own book of statistics, he would have found that the total importations of cloth that could possibly include this variety, the whole importations under paragraph 313, were only about \$250,000, including all kinds of cloth, this kind being but an insignificant fraction of that amount.

Mr. BEVERIDGE. The total value?

Mr. DOLLIVER. The total value. If it had all been "madras curtain" cloth, the only loss the Government could have sustained would have been 5 per cent on \$250,000; and it would have taken these wicked importers thirty years to have accumulated a claim of \$500,000 against the Government on those terms. Yet the Senator from Rhode Island, who sneers at me because in the discharge of my duty and upon my

conscience I protest against these things, standing here in the presence of thousands of people, walks out of this Chamber with the credit of making a great speech, with claptrap like that substituted at the desk of the Secretary for the easily accessible facts and truths in relation to this matter!

But I am not relying altogether upon my own interpretation of the Government's statistics. I asked the Secretary of the Treasury to tell me exactly how much of these madras cloths were involved in these decisions, supposing all of them to be in dispute. He said that the port of New York annually took in two-thirds of the cotton importations of the United States; that they usually allowed one-third for Chicago, St. Louis, San Francisco, and other cities, and that the total importations of that cloth at the port of New York in all cases that were involved in this controversy was \$260,000. That was all that was involved. The only question for the Government was whether the duty was to be 30 per cent, as the Government claimed to be the intent of the Dingley law—and I think claimed rightly—or 25 per cent, as was claimed by the importers.

Mr. LA FOLLETTE. Two hundred and sixty thousand dollars being the total value of the goods.

Mr. DOLLIVER. Yes; \$260,000. Yet here are these 1,400 etamine cases, all decided against the contention of the appraisers, all the money involved refunded, and the total refund is shown by the books of the Treasury Department to be \$55,000.

Mr. BEVERIDGE. Instead of \$500,000.

Mr. DOLLIVER. Instead of \$500,000, or two or three millions, as the Senator from Rhode Island left the impression upon the Senate. Here are those "green goods"—because that is exactly what they have become in this Chamber—advertised here by the hour before applauding multitudes, and the total amount of them altogether involved in all this controversy, according to a memorandum in the handwriting of the Assistant Secretary of the Treasury, Mr. Reynolds, is \$260,000 at the port of New York, plus one-third that amount to cover the customary ratio of other importations throughout the country.

Mr. SMITH of Michigan. Fifty-five thousand dollars was the undervaluation?

Mr. DOLLIVER. No; the total amount of what the Government was compelled to give back was \$55,000 in 1,400 cases; and yet the Senator from Utah read an essay here hours long to show that decisions like that had so interfered with the collection of revenues as to reduce the ad valorem of that year below what they would otherwise have been, and made it reasonable for him to prepare a table here showing that there had been a decrease compared with 1900, although, of course, that was due to the fact that there was a substantial increase in the prices of the goods, as exhibited by the figures in 1907.

Mr. SMITH of Michigan. Why was \$55,000 refunded?

Mr. DOLLIVER. That was the amount included. I said the amounts were negligible—

Mr. SMITH of Michigan. I understand, but I should like to ask the Senator why this \$55,000 was refunded at all?

Mr. DOLLIVER. Because the Government claimed 60 per cent should be collected and the appraisers decided that that was not the rate that ought to have been collected, and, therefore, they had to pay back.

Mr. SMITH of Michigan. In other words, the goods imported were not valued at the cost put upon them by the importers?

Mr. DOLLIVER. No; the goods were assessed at 60 per cent, when, in point of fact, they ought to have been assessed at less; and the excess between what they were assessed for compared to what the law required them to be assessed for in 1,400 cases—all the cases there were—required the Government to refund \$55,000 in money, and yet those transactions were paraded here last night as an evidence that the Dingley law had been emasculated, and that it became necessary for us to build up not against the law as it stands to-day, but against the law as it stood ten years ago.

I want to go a little further into the speech of the Senator from Utah.

Mr. BORAH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. DOLLIVER. Certainly.

Mr. BORAH. I wish to ask the Senator a question for information. What is the full amount, as he understands, that the Government has lost by reason of these decisions?

Mr. DOLLIVER. That I calculate?

Mr. BORAH. The full amount which you have calculated from any information you have.

Mr. DOLLIVER. I went on the theory from the beginning that the amounts involved in it were negligible. But I was

laughed at and informed that they amounted to millions. So I inquired what the Government had to pay on account of these decisions. It does not exactly show the amounts involved, but it shows that the amounts involved could have been only a small thing, because in 1,400 cases known as the "etamine cases," which are now all settled in the Treasury Department and the money paid back, \$55,000, according to the Secretary's statement, was the amount paid back.

Mr. BORAH. Does that cover what is called the "colored cotton-cloth decision?"

Mr. DOLLIVER. No; it covers etamines, not the colored cotton cloth, which had encountered, according to the Senator from Rhode Island, a decision which cost the Government \$500,000. The Secretary of the Treasury shows that the total amount of goods in dispute brought into this country was only \$266,000 at New York, plus one-third for all the other ports of the United States, and the only thing involved in that was whether the rate of duty should be 25 per cent or 30 per cent.

Mr. BORAH. I merely want to say it is a pretty serious thing when a man can not get the correct information from any source with reference to this matter. I have a communication from the Treasury Department this morning which estimates it at \$400,000, and that comes from the Assistant Secretary of the Treasury. It was the matter which had more weight with me last evening than all other things put together, and I undertook to make some investigations of my own; and if this kind of information is going forth, regardless, we ought to know something about it here.

Mr. DOLLIVER. What does the information to which the Senator alludes refer to?

Mr. BORAH. It alludes to what is called the "colored cotton decision," which was referred to in the communication read from the desk last night.

Mr. DOLLIVER. Yes; if the Senator will permit me, it is a blessed thing to be free from any dependence even upon the Treasury Department. If he will take the Book of Estimates, made up by the Bureau of Statistics, and find out the total amount of all goods brought into the United States in the banner year 1907 of the class to which these goods belong, he will find that all the goods put together amounted to \$356,000, and as only a question of 5 per cent on that amount, even if it were all that kind of goods, was involved, merely a difference between 25 and 30 per cent, he will see that if all the goods imported under 313 of Senate bill were madras curtain goods of this kind, the Government would not possibly be called upon, in any one year at least, to refund more than 5 per cent of \$350,000, and that it would take nearly thirty years for an importer or all the importers put together to accumulate a claim equal to that stated as about to be refunded in the article read from the desk.

What I am complaining about is, not that the Senator did not state it correctly, but that with accurate information at his disposal and everybody's disposal to correct the exaggerations of the article, he allowed it to be read, although it did not purport even to be anonymous in its character, but the mere guesswork of an enthusiastic reporter, when the facts were not only accessible, but on the desk of every Senator here, which would refute the pretence that \$500,000 was involved.

Mr. BORAH. I only wish to say in conclusion that I plead guilty to the fact that I am not an expert in tariff measures, but I have had an idea for a long time that I did know the effect of a decision of the court when I read it. And that being a matter which I could grasp, I undertook to inform myself in regard to it. I do not know to whom we should go for information which would be more reliable than to the Treasury Department of the United States, and so I undertook to get my information, and they made an estimate in February, which, based upon that time, would amount to something like \$400,000. The only thing I know about it is that that information has been given out; and certainly one thing must be apparent—there must be some changes in the Treasury of the United States.

Mr. DOLLIVER. No, Mr. President; the Treasury Department undoubtedly undertook to give the Senator an aggregate of the importations under paragraph 313.

Mr. BORAH. No; the Treasury Department did not. The Treasury Department undertook to give what the Government would have to refund and lose by reason of these decisions.

Mr. TILLMAN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. DOLLIVER. Certainly.

Mr. TILLMAN. Both of these distinguished Senators are lawyers and are familiar with the methods pursued in the Supreme Court in getting the opinions of that august body. The Senator from Rhode Island, if I understood him correctly last night, said that a decision of the Supreme Court had been rendered which would make it necessary to refund \$500,000. Am I correct in that?

Mr. BORAH. No; I do not understand so.

Mr. DOLLIVER. He said a decision had been rendered denying a petition for a writ of certiorari.

Mr. TILLMAN. Which would make the decision of the lower court—

Mr. DOLLIVER. He sent to the desk the clipping from a newspaper, and I do not think he made himself personally responsible for the statistics, although the impression was naturally created that those were the proper statistics.

Mr. TILLMAN. Of course we are all under a disadvantage in not being able to know what was said last night, inasmuch as it does not appear in the RECORD this morning. I can not help the fact that the Senator from Rhode Island is not here. He has been under a strain for a long time. He has been pelted and bombarded from all directions, and I do not wonder that he should sometimes get out of the range of fire. But I want to find out, if the Senator will permit me, if there has been any decision anywhere that we can get hold of which ascertains and discloses the facts. Why this bamboozling of the country? Either the Senator from Rhode Island bamboozled us last night or the Senator from Iowa bamboozled us this morning. I am getting tired of all of this—this mixing up of information and misinformation, and charges and countercharges, and all that sort of thing.

Mr. DOLLIVER. I trust the Senator will allow me to state the situation just as it is.

The VICE-PRESIDENT. The Senator from Iowa has absolute control of the floor.

Mr. DOLLIVER. Yes. The appraising officers assessed these goods at 30 per cent, claiming that they were colored goods, and while there was color in them, it was not in the cloth, but in the threads that were superimposed upon the cloth. The importers took that decision to the circuit court of the United States for the southern district of New York, when it was decided that the Dingley law gave these extraordinary threads 2 cents a square yard on account of their presence, and that the ad valorem in paragraph 313 was applicable to the cloth, which had a bleached background upon which the threads were attached; that the ad valorem should be assessed as upon bleached cloth of the density which appears here.

Thereupon they appealed to the circuit court of appeals of the United States, Judge Lacombe sitting with two other judges; and about a year ago the circuit court of appeals affirmed the decision of the circuit court for the southern district of New York. Thereupon a petition for a writ of certiorari was taken to the Supreme Court of the United States to bring up the record for the inspection of the Supreme Court. Last week the Supreme Court, by a rather peremptory order, denied the writ, which affirmed the decree and decision of the circuit courts of appeals; and from this on this cloth will be assessed, unless the law is changed, 2 cents per square yard for these green threads, as originally intended, and 25 per cent, according to value, for the white cloth upon which they are imposed; that is, 25 per cent plus 2 cents; and the change made in this bill, as I understand, is simply to transfer this cloth from the 25 per cent bracket to the bracket of colored cloth, so that in addition to the 2 cents originally provided it will get 30 per cent, the ad valorem rate provided for colored cloth.

Mr. TILLMAN. Nevertheless the \$500,000 disappears.

Mr. DOLLIVER. No; there never was \$500,000 involved. The total importations for one year in that very book are only \$350,000, if all the articles were madras curtains.

Mr. SMOOT. Paragraph 313?

Mr. DOLLIVER. Yes.

Mr. SMOOT. The Senator is certainly mistaken as to the amount of importations for 1907 under paragraph 313.

Mr. SMITH of Michigan. What is the amount?

Mr. SMOOT. Total importations were \$949,022 for 1907, and the ad valorem was \$913,884.02.

Mr. DOLLIVER. I am talking only about the importations under section 313 of the Senate bill.

Mr. SMOOT. I am, too. The ad valorem is \$913,884.02.

Mr. DOLLIVER. I added it up patiently last night, in the night, and according to my figures all of the cotton cloths imported in 1907 under 50 threads or from 50 to 100 threads mentioned in the statement of the Senator from Utah, amounted to

a total of \$396,000 under paragraph 313, Senate bill, which covers paragraphs 304 and 305, Dingley bill. I have the figures here.

Mr. HUGHES. Mr. President—

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Colorado?

Mr. DOLLIVER. Certainly.

Mr. HUGHES. Inquiry has been made here as to what occurred in the Supreme Court, and those of us who have a high esteem for that great tribunal have listened with some surprise to the bandying about of its work as being a fraud practiced upon the revenue. Therefore I felt concerned, after hearing the address last night, to know what appeared upon the records of the Supreme Court itself, and I have obtained the petition for a certiorari filed in that court by the Solicitor-General, setting forth the things objected to in these decisions below, and also a brief which accompanied it, pointing out the importance of the decision and why in the opinion of the Government the case should be reviewed upon certiorari.

I find in that petition this as the only statement of the values involved. I read from page 8 of the presentation by the Government:

1. On March 8, 1900, the amount of duty involved in the cases then pending was approximately \$260,000. Every subsequent importation increases that amount.

That is the entire claim by the Solicitor-General. When that was filed in the Supreme Court the counsel for the other side presented his objection to the claim, that the matter was one of great importance, in this language, at page 10:

(a) The alleged large amount of revenue involved.

We challenge the statement that \$260,000 is involved. It will be seen by reference to the protests (Rusch, rec., fol. 21; Blatter, rec., fol. 54) that the only claim made is that the merchandise is bleached or unbleached and not colored.

It is to be noted that in only two of the provisos, to wit, 305 and 307, is there a difference in duty between bleached and colored cloths, and then only a 5 per cent difference. Turning to the tables entitled "Estimated revenues," prepared and printed under the direction of the Finance Committee of the Senate, Sixty-first Congress, first session, for use in connection with the preparation of the new tariff law, we find that the value of all the cotton cloths containing an additional threads assessed as colored cottons under paragraphs 304 to 309 imported into the United States during the year ending June 30, 1907, amounted to \$336,386.02. The contest herein covers a period of approximately four years, so that the total value of importation of goods assessed as colored cottons would be \$1,345,544.08. Assuming, then, that all the cotton cloth containing extra threads classified by the Government during this period as colored cotton had bleached or unbleached foundation cloth (which it did not), assuming that a difference of duty would accrue (which we have shown would not accrue) in each case where there was a bleached or unbleached foundation, and assuming, further, that protest has been duly filed on every importation, the total difference then would be only \$67,277.20. We frankly believe that not more than \$20,000 is involved in the entire litigation on this issue, or about \$5,000 a year.

And upon that record, made up by the Government and the counsel for the contestants, the certiorari was denied.

Mr. DOLLIVER. I am exceedingly obliged to the Senator from Colorado, because it saves me from spending a further minute on these statistics, which I have had to add up myself. I have been so impressed with the fear that if I was not here a vote would be taken and my speech would be delivered afterwards that I have not had as much time as I ought to have had, and I have not had the amount of help I needed. I had to do it in one night. So I greatly appreciate the clear statement which the Senator from Colorado has put into the Record, showing in a way that will be lasting the real character of the statement made last night on this floor by my honored friend, the Senator from Rhode Island.

Mr. GALLINGER and Mr. SUTHERLAND addressed the Chair.

The VICE-PRESIDENT. To whom does the Senator from Iowa yield?

Mr. DOLLIVER. To the Senator from New Hampshire.

Mr. GALLINGER. Mr. President, notwithstanding what the Senator from Colorado has read, we are confronted with the fact that the Supreme Court says that \$20,000 was involved. The Senator from Iowa presents a paper from the Treasury Department saying \$55,000 is involved.

Mr. DOLLIVER. No, no; my friend is mistaken.

Mr. CLAPP. Fifteen thousand.

Mr. DOLLIVER. This memorandum is taken from a letter written by—

Mr. GALLINGER. Obtained over the long-distance telephone.

Mr. DOLLIVER. That refers entirely to the etamines, not to the curtain cloths. These figures are taken from a letter written to the Secretary of the Treasury by the Attorney-General of the United States, stating the amount involved in the curtain cases, as he understood it to be, at \$260,000, which is obviously nearly correct. The figures given to the Senator from Idaho could not have referred to the amount refunded. Nothing has yet been refunded. The case is only just now decided.

Mr. GALLINGER. The Senator from Idaho gets information from the Treasury Department that \$400,000 is involved.

Mr. DOLLIVER. I doubt very much whether it refers to the same thing. It can not be official figures as to the amount refunded. Nothing has yet been refunded. The figures refer to the amount involved, 5 per cent of which would have to be refunded.

Mr. GALLINGER. The New York Commercial Advertiser gives it at \$500,000.

Mr. DOLLIVER. No; the New York Commercial Advertiser does not say that is the refund, but the whole amount involved, upon which the refund would be only 5 per cent.

Mr. GALLINGER. I am talking about the refund. I think the Treasury Department ought to be able to clear this matter up, so that we should really know the facts.

Mr. DOLLIVER. I hope they will, if we shall have time to get it; but we do not have time to get it. Nobody can know the amount of the refund till settlement is made, but it can not be more than 5 per cent of the sum involved.

Mr. SUTHERLAND. Mr. President—

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SUTHERLAND. I understood that what the Senator from Colorado read was simply the rival claims of the counsel upon each side of this case.

Mr. DOLLIVER. From what was the Senator from Colorado reading?

Mr. HUGHES. I read from the petition for a certiorari and the brief by Solicitor-General Bowers, and the response of the other side.

Mr. SUTHERLAND. Then, as I understand what the Senator was reading was simply the claims of the counsel in the case; counsel for the Government claiming that \$260,000 was involved in the case—

Mr. HUGHES. No.

Mr. SUTHERLAND. In the questions involved in the case, while counsel upon the other side insisted that not more than \$20,000 would be involved. I do not understand that the Supreme Court has passed upon the question at all.

Mr. DOLLIVER. Yes; it dismissed the petition for a writ because the amount involved was trivial.

Mr. SUTHERLAND. I think the Senator is in error about that.

Mr. DOLLIVER. Am I not correct in that?

Mr. SUTHERLAND. The Supreme Court—and I think the Senator from Colorado will agree with me—does not deny a petition for a writ of certiorari simply because the amount involved may be small.

Mr. DOLLIVER. Did I understand the Senator from Colorado—

Mr. SUTHERLAND. The Supreme Court considers the matter more with reference to the character of the questions involved than it does with reference to the amount involved; and the refusal of the Supreme Court to grant the writ is not equivalent to an expression of opinion upon their part that the amount involved was as claimed by counsel for the plaintiff.

Mr. DOLLIVER. Mr. President, I now desire to advance a step further into the region of statistics, where I am beginning to feel as much at home as if I had been brought up in the midst of figures and had lived there all my life. I am in a very advantageous frame of mind in respect to them, because I have had to overcome a good many suspicions. I have reached the point where I have absolute confidence that I have gained sufficient insight into the science of statistics to prevent me from being overawed by a mere row of figures.

I want to call attention to the tables of statistics which were printed, but not read, by the Senator from Rhode Island and by the Senator from Utah, which he was kind enough to say also involved the ideas of the Senator from Massachusetts, and for that reason should be entitled to very great consideration in the Senate. He gives importations under the various paragraphs in

the Dingley Act for 1898, the importations for 1899, and the importations for 1900. He claims that the Dingley law was emasculated by these decisions, and therefore show lower ad valorem equivalents than they would have shown if the emasculation had not occurred. Yet the history of the matter is that these adverse decisions of which he is complaining were not rendered by anybody in any of those years, but that the Dingley law, from the time it went upon the statute books, was interpreted just as it is now for three full fiscal years, including the very years that he reports.

He now proposes, seeing the awful havoc that was made with the revenues of the United States by these adverse and outrageous decisions of the courts and of appraising boards in calculating the average ad valorem of the Senate bill, to apply his ad valorems not to the importations that are going on now, but to the importations that went on over ten years ago. He finds that the ad valorem equivalents then were higher than in 1907. I think they were, and I know exactly why they were. It is because the prices of the goods have been steadily rising, and as the values per unit of quantity increased the equivalent ad valorems decreased. Like every other variety of merchandise in all the paragraphs of our tariff law, wherever a specific duty is applicable to an article the equivalent ad valorem has been gradually decreasing because the goods themselves have been gradually appreciating in value, and there is no use in the world for a man in pursuit of the truth to go to the decisions of the courts to find why the ad valorem equivalents of 1900 are higher than the ad valorem equivalents of 1907, and the same thing is true of the tables presented in the interesting speech of the Senator from Massachusetts.

The VICE-PRESIDENT. The Chair begs to suggest that there are almost too many private debates.

Mr. STONE. I am trying to hear what the Senator from Iowa is saying, and it is very difficult to do so.

The VICE-PRESIDENT. The Chair thought the Senator could hear better if there were fewer side debates.

Mr. MONEY. Some of us inadvertently talk too loud.

Mr. DOLLIVER. It does not bother me very much. If I excite enough interest to get up a joint debate on the floor, I shall be pleased, really. Our main trouble here has been that nobody has been able to overcome the lassitude, owing to the climate that surrounds us, in order to get down to business.

The distinguished Senator from Massachusetts seems to be about as awkward as the Senator from Utah in the elaboration of statistics, for he takes out of the book of Imports and Duties for various years, 1899 and 1907, the percentages collected upon the merchandise imported during those two years, and he takes the general position that in view of the fact that such a percentage is less in 1907 than it was in 1899, therefore it would be a good idea to compare the rates of the Senate bill, not with 1907 but with those of eight years previous, but his figures are absolutely worthless unless he carries out also the value per unit of quantity in 1907 and 1899.

If he had done that he would have been saved the trouble of going to the decisions of courts and of referring to appraisers' mistakes in order to account for the declining ad valorems in these later years, because he would have seen, acute intellect that he has, that every change in those ad valorem equivalents arises directly and obviously before the eyes of any man who had the whole tables before him, from the fact that the unit of quantity had changed in value exactly as those ad valorems had shifted. And yet he and the Senator from Utah come into this Chamber and present these statistics to be placed in the Record—statistics that can not be interpreted by any scientific statistician as they interpret them, and give that as the reason for saying that these rates have not been increased.

They say they have not been increased compared to ten years ago. Look at it. They have been increased compared to what is going on now. But you look back ten years ago and you will find the ad valorems less than they have been made in the Senate bill, and so jumbling their figures and mystifying themselves and everybody who tries to listen to them, they pour out this torrent of figures, bewildering columns taken from the Bureau of Statistics, partially taken, half taken, deluging the Senate, and ask us to raise these rates. Curious companions these—the great statesman of Massachusetts and the great theologian of the Rocky Mountains, friends and partners in this curious business, juggling the tables, manipulating the figures, and at length blowing out the gas and going to bed together. [Laughter.]

The table is as follows:

Table showing the equivalent ad valorem percentage of the specific duties on cotton goods imported under each paragraph of the Dingley tariff in 1907 as compared with 1899, when the bill was first put in operation, due to increased prices of goods.

No.—	1899.		1907.		Values per unit of quantity.	
	Value.	Percent.	Value.	Percent.	1899.	1907.
928.....	\$1,163	20.98	\$5,149	7.63	Cents. 0.059	Cents. 0.154
929.....	930	27.27	5,450	19.97	.073	.100
931.....	1,402	22.15	1,330	18.42	.056	.068
932.....	831	32.28	310	21.80	.047	.069
933.....	61	27.11	1,155	32.82	.065	.053
935.....	22,395	21.09	19,080	19.73	.071	.076
936.....	2,532	33.30	609	30.92	.053	.057
937.....	29,414	43.65	16,727	39.29	.052	.057
939.....	55,360	34.37	71,974	33.48	.080	.082
940.....	5,461	51.24	4,965	40.96	.063	.076
941.....	11,360	43.05	61,308	42.35	.081	.083
948.....	3,083	20.33	11,104	17.74	.074	.084
949.....	2,327	38.39	9,449	26.33	.052	.076
950.....	1,484	28.12	5,601	26.85	.089	.063
951.....	17,725	42.70	7,471	32.04	.064	.089
955.....	32,459	27.61	142,409	23.80	.091	.105
956.....	10,272	47.83	189,776	29.48	.063	.102
957.....	10,589	44.79	24,702	33.42	.078	.105
958.....	202,232	45.39	123,534	40.36	.083	.093
960.....	55,652	35.17	204,674	31.44	.099	.111
961.....	87,665	37.46	70,475	36.14	.10	.104
962.....	18,732	46.31	269,191	40.06	.091	.106
963.....	54,929	48.27	24,294	42.15	.093	.107
970.....	677	44.35	3,161	31.48	.068	.095
971.....	11,788	48.83	15,798	40.60	.072	.086
975.....	44,492	27.69	16,990	26.42	.099	.104
976.....	17,414	35.71	14,097	33.00	.098	.106
977.....	6,957	46.24	84,607	35.33	.087	.113
978.....	221,924	48.17	620,561	41.34	.088	.108
982.....	233,747	44.97	96,534	40.95	.094	.104
983.....	115,602	43.15	21,474	39.95	.104	.113
984.....	223,107	44.84	245,413	39.36	.106	.12
985.....	391,501	44.38	161,540	46.03	.113	.100
1005.....	6,954	53.73	6,252	36.34	.065	.090
1007.....	7,388	53.30	3,969	32.99	.075	.121
1009.....	45,777	51.25	24,770	46.10	.098	.108
1011.....	10,387	41.00	4,496	41.95	.109	.107
1012.....	89,978	40.56	42,277	44.88	.123	.111
1013.....	21,052	45.96	5,244	42.60	.119	.129
1014.....	163,238	53.86	136,410	45.56	.111	.132
1016.....	995,368	53.49	699,136	37.93	.117	.165
1017.....	523,740	53.40	124,684	49.35	.131	.142
1028.....	450	47.55	4,364	39.36	.126	.152
1029.....	2,554	45.11	2,742	38.97	.133	.167
1030.....	5,197	50.67	1,523	46.92	.158	.171
Total.....	3,775,350		3,606,777			

One hundred and sixty-eight thousand five hundred and seventy-three dollars more imported in 1899, under the higher ad valorem equivalents, than in 1907, under the lower ad valorem equivalents.

But, Mr. President, the record of the increases in this bill is not exhausted by an examination of the substitution of the step-ladder specific assessments, as I have described them, for the old Dingley ad valorems. Personally, I am opposed to that substitution. Twenty years ago I had a good many prejudices against ad valorem assessments. I had read the reports of various Secretaries of the Treasury, and they all said they were bad, because you could not keep people honest, you could not get correct values. But in that twenty years, largely owing to the statesmanship of the honored Senator from Rhode Island, we have a system of ad valorem assessments so guarded and so administered, both in Europe and America, that about the only honest imports that come into the United States come in under the ad valorem assessments. The great frauds on our revenues are not now committed by persons who are paying ad valorem duties; they are committed by people who are paying specific duties, duties by the pound upon sugar, who in the last five or six years have robbed our Treasury of from \$2,000,000 to \$9,000,000 in the light of day by simply having one of their men stand by the appraising or assessing officers at the scales and by slipping a corset steel into the delicate mechanism to interfere with the proper weighing of the merchandise.

We have had other cases involving millions of dollars. The silk cases in New York, where we deliberately changed from ad valorems to specifics in the hope of avoiding fraudulent assessments; yet within the last three or four years we have had to sue importers of silk, who were paying duty by the pound, for millions upon millions of dollars for their frauds against these specific assessments. I refer to the Rosenthal silk cases. The

truth is that there are mighty few things where a specific assessment does any good. It is all right on steel rails. I am afraid it is all wrong on these textiles, and I will tell you why.

If you have general dividing lines of values you do not get rid of your ad valorem troubles at all. Here in this bill we have one cloth valued at 12 cents a yard and another valued at 12½ cents a yard. Do you suppose it will be less trouble to beat that dividing line than it ever was to beat an ordinary straight ad valorem assessment? The fact is, before we put this Government on the basis of specific assessments, we ought to do exactly as the Governments of France and Germany have done. In France they had a great commission for five years arranging their specific duties, standardizing their values, finding out by experiment the relations of weights, or sizes, or lengths, or other units of quantity to given values. After five years of experimentation they were able to formulate specific schedules of scientifically adjusted rates.

Who adjusted these specific rates? How long a time was taken? What is the reason for putting one rate upon cloth valued at 12 cents and a different rate on the same cloth valued at 12½ cents? What wisdom is there in it? I undertake to say that there is no wisdom in it at all, and I am profoundly convinced that we are making an error in going into a mess of that sort.

I was saying that these progressive ad valorem or "stepladders" of values do not cover all the increases that are made in this bill. This very green cloth [exhibiting] is coming in for another treatment. Now it has 2 cents because of the extra threads. It is to get 5 per cent more on account of being colored, and it is going to get a little more, if it can, by putting a microscope on those colored threads and counting them and adding them to the count of threads which determine the density of the cloth; that is to say, the paragraph into which that cloth comes for assessment. I do not know—I have not worked on this one with my microscope—but I think it has nearly 100 threads in it, and it is therefore dutiable under paragraph 313, but if the amendment that is proposed passes, and the other threads are counted and added to it, it will have over a hundred threads, and will pass into the next paragraph at a modestly increased rate. I do not know whether that ought to be done or not, but I am dead sure of one thing, it ought not to be done without everybody in the Senate understanding what is being done.

That is not the only proposition I have in mind. These good people propose, seeing the times are a little hard and money scarce—I believe it has been said times are always hard and money scarce—they propose to take a little extra assessment of 1 cent per square yard on mercerized cloth; that is to say, on nearly all the cloth that is imported, because I think I am right in saying that nearly 75 per cent of all imported cloths are mercerized. I thought I heard the Senator from Massachusetts [Mr. LODGE] give the exact figures, but I could not find them when I came to examine his speech when printed in the RECORD. I may have been mistaken about his giving them.

If they proposed to put only a cent a pound on cloth that has been mercerized maybe I would not say a word about it. But, they say, this is a good time to get whatever can be had without anybody knowing it, and so we will ask not only for 1 cent a pound on mercerized cloth, but exactly the same amount on cloth that has even one thread of mercerized yarn in it.

You would not believe it, but I have got so I feel I know as much about mercerized yarn and cloth as anybody. The Senator from Utah stated the other day, speaking on this floor, that it was not possible to mercerize single yarns. I told him I did not know. I know now that the Senator from Utah was mistaken, for I saw the Senator from Wisconsin [Mr. LA FOLLETTE] yesterday exhibit on this floor specimens of single yarns duly mercerized as the chemists require. The Senator from Utah said it was not possible to mercerize American cotton, but that you can mercerize only Egyptian cotton. I told him then that that violated the impression I had in looking around the dry goods stores, and that was the only statistics I had on the subject then. But I have a little book here, issued by a professor in the Textile College in Philadelphia, in which he says that it is not only possible to mercerize all kinds of yarn, but that it is a growing custom in the cotton business all over the world, and the fact is that very much of the Egyptian cotton mercerized in the world is ordinary peeler cotton, the American brand called familiarly through the world "Mississippi silk."

So I have not as much confidence as I used to have in the Senator from Utah. I have almost begun to think that the Senate committee was a little weak on this mercerizing business, and I will tell you why. Four weeks ago they spent a large sum of the government revenue—I do not know exactly

how much the amount would affect the ad valorem, but a considerable sum—telegraphing all over the United States to people familiar with the mercerization of cotton to know how much it costs. Have any of you gentlemen seen those reports? Did you hear the three-hour speech of the Senator from Utah, which combined all the wisdom there was in and around the Committee on Finance? Did you see in the printed copy here one of those letters or telegrams received in reply to the simple question, "How much does it cost to mercerize a yard of cotton cloth?" Not one. I know they got answers, because two or three of them sent a copy of their answers to me. I do not know why they picked me out, but they seemed to think I was interested in the subject; and here we are at the end of this debate asked to place that assessment on 90,000,000 people in the United States, and there is not a word of information upon the cost of it, and every line of information that was got at the expense of the Government is withheld from the public records of the Senate where it belongs.

I will, however, show you a letter from A. L. Reid & Co. in New York, who were thought to be good enough men to telegraph to for information, and they replied showing that the cost of mercerizing cotton was less, very much less, than 1 cent a yard. I have here, and I intend to put into the RECORD, another letter from Littauer & Co., who answered their telegram, stating and giving the figures from his present business connections that it costs 2 cents a yard less to mercerize cotton cloth in the United States than it does in Bradford and Manchester. I make the assertion here on this floor, and if it is denied I will call on the committee to produce the letters and telegrams that came here in answer to their inquiries, if I am not correct in that statement. The Senator from Massachusetts held up some very beautiful cotton vestings which he said had been increased in value 12 cents a yard by mercerizing them. I have not had time to examine that cotton vesting. I undertake to say that that same cotton vesting made without mercerizing out of the same ply and quality of yarn would cost 11 cents of that 12 more than ordinary cloth.

I will say another thing about that beautiful cotton vesting, that it will never take the place of silk in the United States, because they are higher in price than the ordinary range of silk, and that cloth which he exhibited here is just as obsolete in the cotton trade of the United States as the highest form of silk and velvets are on the frontier. Why? Because all those vestings are mercerized in the yarn, and it costs more to mercerize in yarn than it does to make the cloth and then mercerize it. The result is that if they put that article with one not mercerized right side by side and duplicate it, they could not see the difference between the two, and it would sell for 10 cents a yard. That is the reason why it has not appeared in the cotton trade of the United States of late.

Now, I like to be accurate. I like to know what I am talking about. I like to, even when I am just walking along by myself. But when I am asking other people to follow me, to listen to my view or my suggestion, I feel upon my conscience the duty of being absolutely accurate and absolutely right.

Therefore I want to tell the Senate exactly what these good committeemen of ours have done. There is an ordinary piece of mercerized cotton shirting [exhibiting], with lines through it representing mercerized threads. It has just been woven by a prosperous factory in the State of Massachusetts, bought by an American merchant in the city of New York who does not deal in foreign cotton at all, but deals in American business by the ton. He has the bill he paid for this cotton cloth. He paid for this cotton 8 cents a yard without mercerization, with no mercerized thread in it at all. This last week he had a statement from the people who sold it to him that he can have it for 8 cents without mercerization or 8½ cents mercerized. Yet this committee has put a cent a pound on the process of mercerization—800 per cent, is it not? And we are expected within the next few minutes to ratify it by a vote of the Senate.

Mr. BEVERIDGE. I wish to ask the Senator merely a question, whether he thinks that statement ought to be made concerning the committee's action in view of the fact that none of the committee are present except one?

Mr. DOLLIVER. I have intimated several times my desire to have the committee here, but I was doubtful whether they would stay from luncheon, and now I will say publicly I do not give 2 cents a square yard and 5 per cent cumulative ad valorem whether the committee is here or not. I intend to tell the truth here even in their absence.

There is the proposition I have made. Here is a piece of cloth that in this market now can be bought by the ton for 8 cents without mercerization, and 8½ cents with mercerization. Yet the minute they get the President's signature on this bill

every human being in America will be pinched 1 cent per pound extra in the price of this cloth, or 800 per cent, on the lowly process of mercerizing, for which the present Dingley law provides amply.

Take the case that the Senator from Massachusetts gave. Suppose it were true that that cloth had added to it 12 cents a yard value by reason of being mercerized, would not that increased value be entirely covered in the duty of 35 per cent ad valorem, which equals 4.2 cents on every yard of that cloth imported into the United States? Four and one-fifth cents are therefore already on it by reason of the increased value arising from mercerization. And yet you propose to add onto that, adding 1 cent a square yard after mercerization, if a single dot or a single thread appears in the fabric indicating the process of mercerization. I say it ought not to be done.

Now, Mr. President, a few general remarks and I will not further disturb the convenience of the Senate. I read a good deal in the newspapers and every now and then I hear of somebody who thinks that I am trying to tear down the tariff laws of the United States. I do not intend to spend a great deal of time explaining what I am trying to do; but I do not mind stating it once for all. I am trying to preserve the tariff laws of the United States. I am trying to put them in such a position that the American public opinion will be friendly to them, North and South. It has grieved me more than anything in my public life that I have felt it my duty to protest against this unwarranted repeal of the Dingley cotton schedules. There is no industry in America that I have studied with the interest that I have the cotton business. It is the most ancient occupation of man after he reached the stage of industrial skill. In the museums of the world, coeval with the most ancient civilization, are fabrics of cotton woven oftentimes by the rude machinery of other ages.

There is no such crown upon the industrial life of America as the building up of the cotton and other textile industries here.

I have tried in an humble way to try to help build them up. The people whom I represent are without prejudice against them. They are full of sympathy for them. They do not even complain that they have been prosperous, that men have grown rich who have put their capital and invested their labor in these enterprises. For a hundred years the cotton schedules in American tariffs have been without an enemy in either party of the United States. No such wound has ever been inflicted upon the protective-tariff system, as to drag this schedule without an enemy in the world into the midst of this controversy and fill the CONGRESSIONAL RECORD with misleading statistics and irrelevant suggestions in respect to what has been done by the Senate committee. If it be true, as the Senator from Rhode Island says, that nothing has been done, if things are left as they are, if the rates are not raised, if no intention has been in their minds to disturb them, I appeal to Senators on both sides of the House to let them stand exactly where old Governor Dingley left them; to let them stand exactly as the courts of the United States have interpreted them. I ask my associates not to do what is the wish of the committee or the importers or the manufacturers, but to do what is suggested by every motive of reason and good sense. When you are not doing anything that amounts to anything, when you are not raising rates, when you are not disturbing them, when you spend a week showing that the changes suggested are of no importance to the public or anybody else, in the name of all that is reasonable let us let them alone; let me go to the people where I live and tell them that we left the Dingley tariff law undisturbed.

Do not send Members of Congress out to say that no changes have been made, when every schoolboy in every district will know that a statement like that can not be true, and that that man is incompetent for the discharge of the business which he seeks to do for the people of the United States. If no changes have been made, let us put away this appearance of change and leave these rates absolutely as they are. All these industries have flourished under them, great cities have been builded, great communities have been enriched. I do not envy them, from my little farm out in Iowa, any of their prosperity. I want to see all sections of the country share it, South as well as North, East as well as West. I want them all to participate in it. But I say to you gentlemen you can not do a thing so harmful to the protective system, so injurious to this industry, as to make it the storm center of an agitation which will not cease when you have incorporated these amendments in the bill notwithstanding the showing of facts that has been made on the floor of the Senate.

Now, I desire to thank the Senate for their attention.

PETROLEUM FIELDS IN MEXICO.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States (S. Doc. No. 79), which was read and, with the accompanying papers, referred to the Committee on Finance and ordered to be printed:

To the Senate:

The Secretary of the Interior has forwarded to me a resolution of your body in which he is requested to furnish to the Senate such information as Dr. C. W. Hayes, Chief Geologist of the Geological Survey, can furnish respecting his investigations and observations as to the character and development of petroleum fields in the Republic of Mexico, the character of the oil produced, the location of the oil regions, the ownership or interest in concessions granted by the Mexican Government, the probabilities of increase in production, and, generally, all the information with respect to petroleum and its products procured by the said Hayes upon his visit or visits to the Republic of Mexico.

The Secretary of the Interior, by letter, a copy of which I inclose, points out that the details of the information requested were obtained by the Chief Geologist of the Geological Survey, Doctor Hayes, under an obligation of secrecy entered into by him with the owners of the oil fields, from whom he obtained his information, and it would therefore not be consistent with the interests of the public service to divulge the details of the information thus obtained. Doctor Hayes has, however, submitted his conclusions from a personal visit to the oil-producing regions of Mexico, which answer, generally, the questions propounded in the resolution.

WM. H. TAFT.

THE WHITE HOUSE, June 5, 1909.

REPORT OF GOVERNOR OF CUBA.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States (S. Doc. No. 80), which was read and, with the accompanying papers, referred to the Committee on Cuban Relations and ordered to be printed:

To the Senate and House of Representatives:

I have the honor to transmit herewith a communication from the Acting Secretary of War, under date of May 8, submitting the report, with accompanying exhibits, of Hon. Charles E. Magoon, provisional governor of Cuba, for the period from December 1, 1908, to January 28, 1909, when the provisional government was terminated and the island again turned over to the Cubans. I recommend, in accordance with the suggestion of the Acting Secretary of War, that this report and the exhibits be printed.

I think it only proper to take this opportunity to say that the administration by Governor Magoon of the Government of Cuba, from 1906 to 1909, involved the disposition and settlement of many very difficult questions and required on his part the exercise of ability and tact of the highest order. It gives me much pleasure to note, in this public record, the credit due to Governor Magoon for his distinguished service.

The army of Cuban pacification, under Major-General Barry, was of the utmost assistance in the preservation of the peace of the island and the maintenance of law and order, without the slightest friction with the inhabitants of the island, although the army was widely distributed through the six Provinces and came into close contact with the people.

The administration of Governor Magoon and the laws recommended by the advisory commission, with Colonel Crowder, of the Judge-Advocate-General's Corps, at its head, and put into force by the governor, have greatly facilitated the progress of good government in Cuba. At a fair election, held under the advisory commission's new election law, General Gomez was chosen President, and he has begun his administration under good auspices. I am glad to express the hope that the new government will grow in strength and self-sustaining capacity under the provisions of the Cuban constitution.

WM. H. TAFT.

THE WHITE HOUSE, June 5, 1909.

STATISTICS RELATIVE TO TOBACCO.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States (S. Doc. No. 78), which was read and, with the accompanying paper and illustrations, referred to the Committee on Finance and ordered to be printed:

To the Senate:

I transmit herewith a report on the prices of tobacco and the operations of corporations and others dealing in the same, prepared by the Commissioner of Corporations of the Department

of Commerce and Labor, in accordance with the following resolution of the Senate (No. 44) adopted May 14, 1909:

Senate resolution 44.

Resolved, That the President be requested to transmit to the Senate all information collected by the Department of Commerce and Labor affecting the prices of tobacco and the operations of corporations and others dealing in the same.

WM. H. TAFT.

THE WHITE HOUSE, June 5, 1909.

PERSONAL EXPLANATION.

Mr. OLIVER. Mr. President, I desire to occupy the time of the Senate for a few minutes to make a personal statement.

There appeared this morning in the public press a dispatch from Goldfield, Nev., stating that certain officers and directors of a Nevada mining company—among them myself as one of the directors—had been indicted by the Esmeralda County grand jury for conspiring to defraud that State of certain taxes on bullion. The charge is that the company rendered a false statement to the bullion tax collector, and that the directors and officers sanctioned false bookkeeping in order to carry out their conspiracy.

It is due to this Senate, of which I have but recently become a Member, to state that I have no personal knowledge of the facts upon which these cases are based. I never had any intimation even that such proceedings were contemplated or impending. I knew nothing whatever about them until advised yesterday by telegraph. My understanding is that my name, with some others, is included in the list of defendants merely because we happen to be directors of the company.

Details in matters of the kind involved in this proceeding were not submitted to the general officers of the company, but were attended to by the local management in Nevada. In justice to these latter officials, however, it should be said that in rendering statements of profits and taxes due they were advised at every step by one of the most eminent law firms in that State, the senior member of which is now the Representative for Nevada in the Congress of the United States. Since learning of the indictment, I am assured that no illegal acts were committed as charged. By the merest accident I heard, incidentally, a few days ago that there was a contention between the authorities of Nevada and the company as to the amount of taxes properly due, but I assumed that it was merely such a dispute as may arise in the adjustment of an account of that nature with any company, and that if it were determined finally that the corporation in question had not met its obligations fully, this would be done in the ordinary course of business.

I desire to make my denial of any complicity in this affair, either constructively or actually, as emphatic and as sweeping as possible. I have never knowingly violated the laws of any State, and under no circumstances would I consent to, or be a party in, their violation by men with whom I might be associated in business.

THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. CULBERSON. Mr. President, I want to advert for a moment to a statement made last night in his speech by the Senator from Rhode Island [Mr. ALDRICH]. According to the notes of the stenographer, furnished me this morning, the Senator from Rhode Island said:

First we have a statement which was submitted by the Senator from Texas [Mr. CULBERSON], showing the effect of the increases in duties of House bill 1438 by the Senate Finance Committee. I want to read a paragraph from this to show the character of this report. In the very first line this occurs—

Referring to paragraph 313 of the bill—

"Not exceeding 50 threads to the square inch, counting warp and filling, not bleached, etc.; the present law 1 cent a square yard, Senate bill 2½ cents a square yard."

The Senate bill is 1 cent a square yard and not 2½ cents.

Mr. President, the statement of the Senator from Rhode Island is not correct. By the House bill, paragraph 312 provided for a tariff on—

Cotton cloth, not bleached, dyed, colored, stained, painted, or printed, and not exceeding 50 threads to the square inch, counting the warp and filling, 1 cent per square yard; if bleached, 1½ cents per square yard; if dyed, colored, stained, painted, or printed, 2 cents per square yard.

By paragraph 313, according to the House bill, it was provided that—

Cotton cloth, not bleached, dyed, colored, stained, painted, or printed, exceeding 50 and not exceeding 100 threads to the square inch, counting the warp and filling, and not exceeding 6 square yards to the pound, 1½ cents per square yard—

And so forth.

The Senate Finance Committee propose to strike out paragraph 312 altogether and to incorporate the two provisions, as it were, in paragraph 313, so that paragraph 313, or so much thereof as may be pertinent to this matter here, reads as follows:

Cotton cloth, not bleached, dyed, colored, stained, painted, or printed, not exceeding 100 threads to the square inch, counting the warp and filling, and not exceeding 6 square yards to the pound, 1½ cents per square yard—

And so forth.

So that the paragraphs referring to 50 threads and 100 threads, or not exceeding either of those, are incorporated into one paragraph, not otherwise separated.

The Senator from Rhode Island said that this was an incorrect statement by the expert employed by the minority of the Finance Committee, Mr. J. S. McCoy, the actuary of the Treasury Department. The statement of the actuary is taken from the report made to the Senate by the Senator from Rhode Island himself and is in the very exact language of that report. Not only that, but the Senate Committee on Finance has nowhere fixed the rate at 1 cent. The very lowest rate is 1½ cents.

At page 38 of this large book, entitled "Estimated Revenues," under paragraph 313, we have this language—this document, I repeat, was presented to the Senate by the Senator from Rhode Island—we have this language, and it is the very same language in this estimate made by Mr. McCoy, which was presented by me on the 13th of May:

313. Cloth, not exceeding 50 threads to the square inch, counting the warp and filling, not bleached, dyed, colored, stained, painted, or printed.

Running that out, Mr. President, we will see that the rate in the present law is 1 cent per square yard, the rate in the House bill is 1 cent per square yard, and the rate in the Senate bill is two and a quarter cents per square yard, amounting to an increase from 11.75 per cent ad valorem to 26.44 per cent ad valorem. That is all there is to it.

The Senator has denounced the statement made by an expert, which was copied absolutely and exactly by him from the statement made by the Senator from Rhode Island.

Mr. ALDRICH. Mr. President, the statement submitted by the Senator from Texas purported to show the present law and the bill as reported from the Finance Committee in a great variety of paragraphs. I stated last night, and I repeat now, that the provisions in the Senate bill, or the provisions that will be in the Senate bill when the vote is taken upon the pending amendment, is upon "cloths counting less than 50 threads to the square inch, 1 cent a pound, not colored, dyed," and so forth—just exactly what I said last night.

Mr. CULBERSON. Where is the provision in the bill providing for a cent a square yard?

Mr. ALDRICH. I ask that the Secretary read the pending amendment.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Secretary will read as requested.

The SECRETARY. On page 97, line 24, after the words "cotton cloth," it is proposed to insert the following:

Valued at not over 7 cents per square yard, not bleached, dyed, colored, stained, painted, or printed, and not exceeding 50 threads to the square inch, counting the warp and filling, 1 cent per square yard.

Mr. ALDRICH. That is sufficient. That is an answer to the Senator from Texas.

Mr. CULBERSON. Now, I ask the Senator if he believes that is a fair answer to the criticism?

Mr. ALDRICH. I am not yet through with my answer.

Mr. CULBERSON. The Senator, Mr. President, criticised a statement filed here on the 13th day of May by referring to an amendment which was proposed by him long subsequent to that time.

Mr. ALDRICH. The bill as reported—I will read it myself—provided for a duty of one and one-quarter cents per square yard.

Mr. CULBERSON. Certainly; but that is not 1 cent.

Mr. ALDRICH. It will be 1 cent, I think, if the amendment be adopted. If it be not adopted, then the rate will be one and a quarter cents, and not two and a half cents, as stated by the expert.

Mr. CULBERSON. The rate reported in this statement is two and a quarter cents, the same as reported in the Estimated Revenues presented by the Senator from Rhode Island.

Mr. ALDRICH. But if the Senator from Texas had looked at the statement in Estimated Revenues he would have found that the goods there referred to were valued at more than 7 cents a square yard.

Mr. CULBERSON. Not at all, I think.

Mr. ALDRICH. Certainly the duty could not be two and a quarter cents unless the goods were of that value. That is the

trouble about the statement of the Senator from Texas. It does not state what the facts are. I put into the Record last night a statement of what the Senate bill provides and what the existing law is upon these matters. The statement made in the compilation called "Estimated Revenues" applies to what the duty would be if the goods were valued at above 7 cents per square yard, not what it would be according to the countable provisions of the act. If the Senator will take the statement he presented and compare it with the statement I presented to the Senate, he will find the corrections made as I have indicated.

Mr. CULBERSON. Mr. President, the Senator's explanation is not satisfactory. I submit to the Senate that the statement I have presented, taken from the Estimate of Revenues, not only covers the 50-thread articles, but also the 100-thread articles, and it also refers to value. The statement to which the Senator refers, and which he denounced last night, is copied exactly and precisely from the report of Estimated Revenues made under the authority of the Finance Committee.

Mr. ALDRICH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Rhode Island?

Mr. CULBERSON. Yes.

Mr. ALDRICH. Then, the expert of the minority must have copied a mistake, palpable on its face, from the statement in Estimated Revenues, which does not pretend to be a precise statement of the difference in rates imposed by this bill. Under the present law, the rate is not 1 cent per pound if those goods are valued at above 7 cents, but it is 25 per cent ad valorem, which is nearly 2 cents a yard, instead of 1 cent, as the statement which the Senator has called attention to sets forth. The statement made by Mr. McCoy is absolutely incorrect in every respect. The duty on goods valued above 7 cents under the present law, I repeat, is not 1 cent a yard, but it is 25 per cent ad valorem.

Mr. CULBERSON. I do not at this time purpose to go into the general statement made by Mr. McCoy. My purpose is simply to point out that the Senator from Rhode Island has taken the statement presented here by me as to one item, which was an exact copy of one presented by himself, and denounced it as incorrect; and upon that general statement he based a condemnation of the entire statement presented by me, it having been prepared by the actuary of the Treasury.

Mr. ALDRICH. I called attention to the inaccuracies of this statement, and submitted a corrected statement of what the comparison actually was. I repeat that the statements of both of these experts are manifestly inaccurate.

Mr. CULBERSON. As I said, Mr. President, I read that portion of the Senator's remarks last night in which he denounced a specific statement of this report, from which he came to the conclusion, or, at least, upon which generally he based the conclusion, that the entire report was inaccurate. Now, it turns out that it was nothing but a literal copy of what the Senator himself had presented. He also takes the position, which, it seems to me, is not candid and fair, that this report is not true, because the committee had, subsequent to its being made here, proposed an amendment in accordance with his suggestion; in other words, the Senator denounces the statement made by an expert on the bill and report as written because it does not correspond with the bill as he proposes to amend it.

Mr. ALDRICH. Mr. President, this matter is perfectly simple. Under the existing law cotton cloths counting less than 50 threads to the square inch are dutiable at 1 cent a square yard; if counting between 50 and 100, they are dutiable at 1½ cents per square yard; if they are valued at over 7 cents per square yard, under the present law they are dutiable at 25 per cent ad valorem. If they are dutiable under the present law at 1 cent, they are not goods that are valued above 7 cents per square yard. If they were, they would be dutiable at 25 per cent ad valorem, instead of at 1 cent. If they were below 7 cents a square yard, the duties under the present law, under the House bill, and under the bill as it will be amended, are 1 cent a square yard. If they come in under the next paragraph, the duty will be 1½ cents a square yard if valued at less than 7 cents. So that, from any aspect, the statement submitted by the Senator from Texas was inaccurate.

The Senator talks about the statement presented by the committee called "Estimated Revenues." The Senator understands how it is—

Mr. CULBERSON. The Senator, of course, will not deny, and does not deny, that the statement made by the expert, which I presented, is an exact copy of the one he presented on page 38, and the statement I presented was taken from the third corrected report of Estimated Revenues by the committee.

Mr. ALDRICH. I suggested in my statement to the Senate

that the statement submitted by that Senator was inaccurate, and the Senator will find, if he examines the tables, that the inaccuracies were corrected.

That the Senator's expert followed the erroneous statement of this table called "Estimated Revenues," does not change the case at all; it simply shows that the Senator's expert did not examine the case and did not know what the law did provide, but that he simply followed the statements contained in the volume called "Estimated Revenues."

In presenting this compilation to the Senate I have stated at least half a dozen times that it was hurriedly prepared, and that it did not in all cases state precisely the facts, not that there was any intentional misstatement of facts, but errors almost invariably creep into statements of this kind. I have been absolutely amazed that these statements, prepared, as they were, within a very few hours of the time that the instructions were given by the Senate, should contain as few inaccuracies as they do.

Mr. NEWLANDS. Mr. President, when the Senator from Iowa [Mr. DOLLIVER] gave up the floor, I claimed the attention of the Chair, with a view to asking him a question, but was interrupted by the reading of the President's message. I now wish to ask the Senator from Iowa whether the relief which he proposes regarding this schedule, relating to cotton manufactures, simply involves the retention of the Dingley schedule, as opposed to increases reported by the committee, or does he propose to move further in the line of reduction?

Mr. DOLLIVER. Mr. President, I will say to the Senator that I have no intention of moving to reduce the Dingley tariff law as to cotton in any respect. On the contrary, I have offered—and I will ask the Senator from Rhode Island to permit it to be voted on first—an amendment which will restore paragraph 312 of the Dingley law as it exists in the present statute and attach to it the Dingley provisos that are found in connection with all the countable paragraphs, so that it will correct, by raising to 25 and 30 per cent ad valorem, the duties that might now be assessed on certain comparatively unimportant cloths that have fallen by the wayside on account of one of the decisions of the court. Only a very few are involved. And I shall ask the Senator from Rhode Island, before a vote is taken on the amendment to paragraph 313, to permit a vote to be taken on paragraph 312, my amendment being to restore paragraph 312, by disagreeing to the Senate committee's amendment striking it out, and to attach to it the customary Dingley proviso, providing an ad valorem of 25 per cent.

Mr. NEWLANDS. Mr. President, I would ask the Senator from Iowa whether he does not think, from his examination of this schedule, that some of the duties are above the standard fixed by the Republican party in its platform in the last campaign? I refer to the Dingley rates themselves.

Mr. DOLLIVER. Mr. President, it may be possible that some of the specific rates on cotton cloth of apparently low value might be reduced without inconvenience to anybody, but I have not had either the time or the purpose of suggesting any such amendment, because it has always been my theory that, while the rates are somewhat high, they are not likely to operate injuriously in the market place. They have always been high. I remember that they used to be higher than the price at which the goods were sold in the United States, and it used to be a favorite recreation of mine to prove that the tariff could not be added to the cost from the fact that the price was less than the tariff. Such a rate, of course, could be reduced possibly, and on a careful revision of the tariff would be reduced, but I have not thought it important to suggest such an amendment. My object is to preserve unimpaired the Dingley law, with a single amendment, which corrects a real prejudice arising out of a decision of the court, giving the customary proviso to the first countable paragraph.

Mr. NEWLANDS. I would call the Senator's attention to the fact that the total importations of cotton products into this country amount to only about \$33,000,000 in value, that value being, of course, the external value, without adding the duty.

Mr. ALDRICH. Mr. President, the Senator has not included—

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Rhode Island?

Mr. NEWLANDS. Certainly.

Mr. ALDRICH. The Senator from Nevada has not included in that estimate two paragraphs which, while they are in Schedule J, are cotton goods, amounting to about \$50,000,000 in round numbers—I can give the Senator the exact amount—

Mr. NEWLANDS. That would increase it, then, to \$80,000,000.

Mr. ALDRICH. About \$80,000,000, in round numbers.

Mr. NEWLANDS. Eighty million dollars, I will ask the Senator, then, whether the recapitulation at the end of Schedule

I, taken from the census report and representing the total cotton products of this country as amounting to \$1,000,000,000 in value, is correct, or whether it would be necessary to add to it the products which are included in Schedule J, to which he has referred?

Mr. DOLLIVER. I have no way—

Mr. NEWLANDS. I would ask the Senator from Rhode Island to answer that question.

Mr. ALDRICH. Mr. President, the value of manufactured cotton, as given by the census of 1905, is about \$450,000,000, in round numbers.

Mr. DOLLIVER. And, Mr. President—

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Iowa?

Mr. NEWLANDS. If the Senator will permit me one moment, I wish to get information from the Senator from Rhode Island. The Senator will observe that the statement from the census report in this book of Estimated Revenues, on page 44, following the schedule of cotton manufactures, sets forth that the total value of cotton products included in the tariff bill, including custom work and repairing, aggregates \$1,014,000,000.

Mr. ALDRICH. That includes—

Mr. NEWLANDS. The Senator states that the total value of cotton products of this country is only \$400,000,000.

Mr. ALDRICH. If the Senator will look at the summary contained in that same statement, he will find that cotton goods are put down at \$442,000,000; corsets, \$14,000,000; women's and children's clothing, \$247,000,000; awnings, tents, and sails, \$11,000,000, confirming the statement which I made that the value of the cotton products of the United States is approximately \$450,000,000.

Mr. NEWLANDS. But the Senator will also observe that he has excluded the item of awnings, tents, and sails, aggregating \$11,000,000, and that he has excluded a number of items.

Mr. ALDRICH. I have excluded women's clothing and corsets and awnings, which are not cotton manufactures in the ordinary sense of the word, although they are made from cotton cloth.

Mr. NEWLANDS. What items has the Senator excluded? I did not catch what he said.

Mr. ALDRICH. I have excluded awnings, tents and sails, women's clothing, and corsets.

Mr. NEWLANDS. Those three items amount to about \$250,000,000; and the total of the schedule is over \$1,000,000,000.

Mr. ALDRICH. If the Senator will look under the \$1,000,000,000, he will find the items given as I have stated. That is a matter, I suppose, of observation and not of statistics.

Mr. NEWLANDS. Well, Mr. President, it is utterly impossible, of course, to base any deductions upon statistics that seem to be so misleading. The committee has presented us here a statement from the census of the aggregate of the manufactured cotton products of the country, which are covered by the tariff bill. That census represents the total value of all those products at \$1,000,000,000. I was about to contrast with that \$1,000,000,000 of products the meager importations into this country, aggregating only \$33,000,000, or 3 per cent of the whole, tending to show that the Dingley rates are prohibitive of importations and are away above the standard necessarily established by the late Republican platform.

Now, the Senator from Rhode Island meets that assertion, taken from the statistics furnished by the committee, and replies that the total cotton production of the country is only \$700,000,000; and when pressed by that inquiry he refers to these statistics again, and finally admits—he at least does so by his silence—that under these statistics under the items he has named the total cotton manufactures of this schedule are not \$400,000,000 a year, but are about \$750,000,000, excluding the three items and others to which he has referred. Taking the Senator upon his assumption that the total of cotton manufactures of this country is about \$750,000,000, and taking the statistics as to imports furnished by the committee, that the imports under this schedule amount to only \$33,000,000, you have an importation equal to only 5 per cent of the cotton manufactures in this country protected by this schedule, and that indicates prohibitive duties nearly as much so as the 3 per cent of importations, which I was prepared to prove by the statistics furnished by the committee.

The Senator from Iowa contents himself simply with a re-establishment, practically, of the Dingley rates, and I am contending that under the Dingley rates the importations amount to only 5 per cent—3 per cent according to my view, 5 per cent according to the view of the Senator from Rhode Island—of the total cotton manufactures of the country covered by this schedule.

The Senator from Iowa indicates his opinion, although he has not examined the matter carefully, that some of the duties in

this schedule are above the standard fixed by the Republican party. As a Democrat, I can not hope, nor can any other Democrat upon this floor hope, to establish the Democratic standard of revenue. All we can do is to aid those Republicans who believe in the Republican platform and who believe in the standard established by that platform to reduce the excessive duties of the Dingley Act down to that standard; and I suggest to the progressive Republicans upon the other side, the real stalwart Republicans, who propose to stand by the platform and not simply by the Senate organization, that it is time for them to consider what reduction can be made in these duties, what of these duties are excessive, and how they should be reduced.

My judgment is there should be no duty whatever upon cotton goods in excess of 25 or 30 per cent, and that we should immediately, by our action in this body, provide for a reduction of every duty in this schedule, so that it shall not exceed 30 per cent. But I am prepared to join our tariff revisionists in any moderate action, if they should think that more advisable, in a graduated reduction extending over a period of years, providing that these duties in excess of 25 or 30 or 35 or 40 per cent—any limitation which the Republicans believe is a fair one—shall be reduced at the rate of one-tenth or one-fifth per annum for a series of years until the duties are reduced to that standard.

We have here a case where clearly the duties are prohibitive, where only \$33,000,000 of imports are admitted to the country, in the face of similar manufactures in this country of \$1,000,000,000, according to the committee statement, and \$750,000,000, according to the admission of the Senator from Rhode Island.

Mr. President, whilst I have the floor I call attention to another thing, and that is that the wages under this schedule amount to only \$339 per annum; that the average wage of the man employed in the production of cotton goods in this country is only \$339—the lowest scale of wages, I believe, in any of the protected industries. And yet this schedule shows an average duty of from 46 to 47 per cent.

I ask how is it that the wage-earner in this industry realizes only \$339 per annum—starvation wages? Why is it? Is it because the duty is not high enough to give fair wages and the manufacturer a profit, or is it because the manufacturer absorbs an unjust and unreasonable proportion of the profit made upon these manufactured goods?

The Republican party is engaged now in a great work of paternalism, the great work of protecting the manufacturing industries of the country, under the plea that by so doing they assume the guardianship of the workmen of the country. The duty, then, devolves upon them, having once entered upon a policy of paternalism, to see to it that the purpose of that paternalism—the raising of the wages of the workman—is accomplished, and not that excessive profits to corporations engaged in this production are assured.

Mr. President, the total domestic production of cotton goods, according to this statement, is \$1,000,000,000, and the manufacturers are enabled to charge that \$1,000,000,000 for their goods because there is a duty of 45 per cent. We will assume there is an amount of goods equal to that \$1,000,000,000 worth of domestic goods on the outside seeking admission to our markets. You impose upon that equal amount a duty of 45 per cent. What does that mean? If the foreign goods equal in amount to the domestic goods are valued at \$700,000,000, the addition of a duty of 45 per cent will bring up their value in our markets to the domestic value of \$1,000,000,000, and thus diminish the effectiveness of foreign competition; and you claim the right to impose the additional 45 per cent as a duty on the foreign goods upon the ground that you are protecting American industry and, above all things, are protecting the American workmen. Are you aware what that addition means?

Mr. BEVERIDGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Indiana?

Mr. NEWLANDS. The Senator will permit me to present my idea.

Mr. BEVERIDGE. What was the Senator's statement as to the average yearly wages of these workmen? I did not catch it.

Mr. NEWLANDS. Three hundred and thirty-nine dollars.

Mr. BEVERIDGE. The Senator knows, I suppose, that what may have some influence in making that low rate may be the fact that this industry is one of the largest employers of children of any industry in the country.

Mr. NEWLANDS. Yes.

Mr. BEVERIDGE. And that literally thousands of them, from 4 years to 16 years of age, are employed at starvation wages.

Mr. NEWLANDS. It is the largest employer of children and

the largest employer of foreign labor. While these manufacturers claim protection for their industry, they insist upon free trade in the foreign laborers who are engaged in that industry, and they employ children who ought to be at school. So the profits of the manufacturers are increased, and the Republican party, engaged in paternal legislation, engaged in legislating in the interest of a certain class and of a certain industry, upon the hypocritical pretense that it has the cause of the laboring man at heart, looks with contentment upon the employment of children and upon free trade in foreign labor in this country, so that these industries are mainly absorbed by foreign employees.

Mr. President, I was just showing how much the total subsidy given to these factories amounts to. I was showing that the billion dollars' worth of cotton production in this country as contrasted with a similar amount of production in foreign countries and demanding admission to our markets would be worth, the former a billion dollars, the latter \$700,000,000; and you put a duty of 45 per cent upon it in order to bring its value up to a billion dollars and to exclude it from your markets. You do it effectively, too. For of the seven hundred millions of foreign products of a similar kind seeking admission to our doors, only thirty-three millions in value are admitted. So, clearly, you collect from the consumers of cotton products in this country the difference between \$700,000,000 and \$1,000,000,000, the total value of the domestic product. Three hundred million dollars are collected in tribute from the American consumers and paid over to the American manufacturers, and of the \$300,000,000 the paltry sum of about \$14,000,000, according to these schedules, gets into the Federal Treasury.

Are you aware that the \$300,000,000 more than pays for all the wages paid by all the manufacturers of cotton goods in this country? The schedule furnished us by the committee shows that the total wages paid to all the employees by all the manufacturers of cotton goods in the country aggregate \$217,000,000, nearly \$100,000,000 less than the subsidy which you give the manufacturers. And yet in the face of this we find the lowest wage scale; we find child labor; we find foreign laborers employed to the exclusion of our own, who, under the protective system, should be maintained upon a proper American wage scale.

This \$300,000,000 is taken in by somebody. Only \$14,000,000 is taken in by the National Government. Two hundred and eighty-five million dollars is taken in by the manufacturers, and their total wages amount to only \$217,000,000.

These are questions which the dominant party will have to answer before the people at the next election. I may add, I have no partisan purpose here in what I have to say or what I have to do. I wish to relieve the American people from these excessive duties, because they encourage monopoly and because they maintain exaggerated prices, because they raise the cost of living throughout the entire country; and I am willing, so far as our action here is concerned, that that action shall conform to the standard established by the Republican party in its platform and declared by its candidate for the Presidency. Apply that standard to this very schedule, and it will involve an average reduction in duties of from nearly 50 to at least 25 or 30 per cent; and it devolves upon the progressives upon the other side of the Chamber, with the addition of only five votes from those who have thus far voted against them, to carry enough weight, with the Democratic side added, to absolutely secure these reductions and to redeem the pledge of the Republican platform. I ask them to study these schedules and point out the way, and, whilst I have no authority to say so, I have no doubt the Democrats will follow.

The PRESIDING OFFICER. The question is on agreeing to the amendment, which will be stated.

Mr. OWEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Clay	Gore	Owen
Bacon	Crane	Guggenheim	Page
Bailey	Crawford	Hale	Penrose
Beveridge	Culbertson	Heyburn	Perkins
Borah	Cullom	Hughes	Piles
Bradley	Cummins	Johnson, N. Dak.	Root
Brandegee	Curtis	Johnston, Ala.	Shively
Briggs	Dick	Jones	Simmons
Bristow	Dillingham	Kean	Smith, Md.
Brown	Dixon	La Follette	Smith, Mich.
Bulkeley	Dolliver	Lodge	Smoot
Burkett	du Pont	McEnery	Stephenson
Burnham	Elkins	Martin	Stone
Burrows	Fletcher	Money	Sutherland
Burton	Flint	Nelson	Tillman
Carter	Foster	Newlands	Warner
Clapp	Frazier	Nixon	
Clark, Wyo.	Frye	Oliver	
Clarke, Ark.	Gallinger	Overman	

The PRESIDING OFFICER. Seventy-three Senators have answered to their names. A quorum of the Senate is present.

Mr. OWEN. Mr. President, last night I respected the desire of the chairman of the Committee on Finance not to be interrupted with any questions, but there were questions I desired to ask with regard to this schedule, and I call attention now to paragraph 316, in which the committee amendment proposes that cotton cloth, valued at over 12½ and not over 14 cents per square yard, shall pay 5½ cents per square yard; valued at over 14 and not over 16 cents per square yard, 6½ cents per square yard; valued at over 16 and not over 20 cents per square yard, 8 cents per square yard; valued at over 20 cents per square yard, 10 cents per square yard, or, approximately, 50 per cent, but not less than 40 per cent ad valorem.

Mr. President, this proposition on the part of the committee, I take it, is based upon evidence in the hands and knowledge of the committee, and I desire therefore to ask the chairman of the Committee on Finance what is the relative labor cost on these goods?

Mr. ALDRICH. Paragraph 316 is not yet before the Senate. When it is, I will be very glad to answer any questions with reference to it.

Mr. OWEN. I wish to say to the Senator from Rhode Island that his refusal to answer this question is based upon the fact that he can not answer it without stultifying the committee itself. I will say to him that the labor cost on these materials does not exceed 25 per cent in this country; that the difference in the cost of production of these goods in this country and abroad is a negligible quantity—and he is in honor bound, as the chairman of the Finance Committee and as the representative of the Republican party and its platform, to write the schedules in the light of the difference in the cost of production at home and abroad. There is imposed upon him that duty.

I have demanded in vain, at the hands of the committee and of various members of it, some information with regard to this matter.

But there is not lacking information with regard to it. I have in my hand the report of the Commissioner of Labor, Carroll D. Wright, who gives the percentage of labor in goods of this kind in this country and in Great Britain and in Belgium, and the rates approximate 35 per cent. In his table, presented at the request of the Senate and by direction of Senate resolution, I find No. 178 twills; 37 inches wide; picks per inch, 80 by 60; warp yarn, No. 12, 1.73 yards per pound; total cost of labor in transforming materials, 23.75 per cent. Twills; 39 inches wide; picks per inch, 96 by 104; warp yarn, No. 34; weft yarn, No. 45; 3.80 yards per pound; cost of labor in transforming materials, 39.06 per cent.

Four-leaf twills; 39 inches wide; picks per inch, 76 by 76; warp yarn, No. 28; weft yarn, No. 40; 4.25 yards per pound; cost of labor in transforming materials, 33.51 per cent.

Four-leaf twills; 43 inches wide; picks per inch, 68 by 68; warp yarn, average number, 28.05; weft yarn, average number, 37.78; 4.30 yards per pound; cost of labor in transforming materials, 35.64 per cent.

Five harvesters Albert twills; 36 inches wide; picks per inch, 76 by 68; warp yarn, No. 30; weft yarn, No. 40; 5 yards per pound; cost of labor in transforming materials, 37.10 per cent.

Twills or drills; 29 inches wide; picks per inch, 72 by 48; warp yarn, No. 12; weft yarn, No. 18; 2.85 yards per pound; cost of labor in transforming materials, 25.50 per cent.

Twills or drills; 30 inches wide; picks per inch, 68 by 48; warp yarn, No. 14; weft yarn, No. 14; 2.85 yards per pound; cost of labor in transforming materials, 28.25 per cent.

Tables 185, 186, 187, and so on through this list, prepared by the Commissioner of Labor, show these costs, and when a comparison is made with the cost of similar cloth in Great Britain, the labor cost is found, for instance in table No. 198, 35 inches wide, to be 29.97 per cent. So the difference in the labor cost of transforming these materials in this country and abroad does not provide any justification whatever for a tariff rate of 40 per cent or 50 per cent, and the chairman of the Finance Committee does well to refuse to answer this reasonable question, because he can not answer it, because he can not justify himself by the reason which underlies this rule. The only justification of these amendments in raising the rates instead of lowering the Dingley rates is that all competition shall be cut off from abroad and a complete monopoly given to those engaged in this manufacture here.

This very schedule shows in paragraph 316, to which I called attention, that cloth exceeding 3½ and not exceeding 5 square yards to the pound brought to the United States Government the munificent revenue of \$237 for 90,000,000 people; practically exclusion; practically cutting off all competition, either actual

or potential, so as to establish here beyond the peradventure of a doubt a complete monopoly of these goods. And having pointed out to the Senate and to the people of the United States that the difference in the cost of production at home and abroad is not guiding the committee or this body in drawing these proposed amendments and that the pledges of the Republican national platform is being willfully betrayed, I content myself.

THE PRESIDING OFFICER. The question is on agreeing to the amendment of the committee, on which amendment the yeas and nays have been ordered.

Mr. HEYBURN. Mr. President, before voting on this amendment I want to have the attention of the Senate for a minute or two. I am not going to discuss the schedule, but I wish the Record to show why I am going to vote for the committee amendment.

I am not going to vote for this committee amendment upon some of the grounds that have been stated by Senators on this side. I do not realize the necessity for entering into this close analysis of the cost of the articles under this schedule abroad and at home. I would always make a market for the cotton products of the South in this country in preference to making a market for their products abroad. We will take care of all the products of cotton that the South have to produce at just as good prices on this side of the water; and after the admission, as I understood it, by the Senator from Iowa [Mr. DOLLIVER] and by other Senators on this side that it will not raise the cost of the manufactured products to the consumer, it makes no difference to me, and I do not care how much money the middleman makes, because he is an American and is engaged in the business of manufacturing this cotton through the various intermediate steps of turning it over for ultimate use.

That is the reason why I shall vote for this schedule, not because of any comparison between what European nations might be forced to do in order to get into our market, but because of what people will do of their own will for the sake of building up the enterprise and furnishing the commodity here, so that we will depend upon competition among Americans rather than competition between Americans and foreigners. That is the doctrine of protection I adhere to.

THE PRESIDING OFFICER. The Secretary will call the roll on agreeing to the amendment of the committee.

The Secretary proceeded to call the roll, and Mr. ALDRICH answered in the affirmative.

Mr. BACON. Mr. President, I insist upon it that Senators have a right to address the Chair without being cut off by precipitate action.

THE PRESIDING OFFICER. The present occupant of the chair will suggest that no Senator was on his feet.

Mr. BACON. We are not a lot of acrobats.

THE PRESIDING OFFICER. It is not the province of the Chair to invite Senators to speak.

Mr. BACON. It is not the province of the Chair to invite Senators to speak, but it is the province of the Chair, I respectfully submit, to give ear to Senators if they desire to do so.

THE PRESIDING OFFICER. The Senator from Georgia is recognized and will proceed.

Mr. BACON. Mr. President, I want to raise a point of order, or, rather, I will make an inquiry. The Chair stated that the yeas and nays had been ordered. I would inquire when?

THE PRESIDING OFFICER. Two or three hours ago.

Mr. BACON. This morning?

THE PRESIDING OFFICER. This morning.

Mr. BACON. I do not think that is a compliance with the rule. I may be in error about it, but my opinion is that the contemplation of law is that those who are present to vote at the time the roll is called are the ones to require the vote to be entered upon the record. The language of the Constitution is as follows:

The yeas and nays of the Members of either House on any question shall, at the desire of one-fifth of those present, be entered on the Journal.

Mr. President, I am not going to insist upon that, because at the time I made the inquiry I thought it was last night that the yeas and nays had been ordered, and I was going to make the point that that was not a legitimate call for the yeas and nays on a vote to be taken to-day. But as the yeas and nays were ordered this morning, I will not now present the point.

Mr. HALE. Let me say to the Senator that when the yeas and nays were ordered, it was expected that a vote would be taken at once.

Mr. BACON. Exactly. And believing that those present now are practically those who were present at that time, I do not wish to raise the point; but I would raise it if there had been a recess, or if the call had been ordered last night. I know

that there was yesterday, if not an order for the yeas and nays, at least a partial order. I trust the Chair will understand the reason why I was somewhat earnest about the matter.

Mr. BEVERIDGE. Mr. President, I wish to suggest to the chairman of the committee, in view of what has occurred, the advisability of his not insisting that the roll call under these circumstances shall proceed. I appeal to Senators on the grounds of propriety. The Senator from Iowa, who has addressed the Senate twice, notified the Senate twice that he intended to offer an amendment to the committee's amendment. He remained here for that purpose, but he has just gone down to get something to eat. Now, all at once, at a time when I am sure several Senators now absent who have been here did not expect it, and before any Senator had arisen to his feet, the Chair very properly ordered the roll to be called. The clerk quickly began to call it, and the Senator from Rhode Island answered to his name. Under the rules the roll call must go on and not be interrupted, but under such a situation, brought about no doubt by the observance of parliamentary usage and the praiseworthy vigilance which the Senator from Rhode Island always exercises, the Senator from Iowa, who could not have anticipated that this situation would arise, went to get something to eat without offering his amendment; and any Senator who might want further to discuss the bill or to ask the Senator from Rhode Island, the chairman of the committee, any questions, as no Senator had arisen to his feet and gotten the recognition of the Chair before the Senator from Rhode Island answered to his name, is absolutely estopped. It is a form, in effect, of cloture under such circumstances which works to the denial of substantial rights of Senators who had served notice that they intended to be here to offer amendments.

Now, this can not be stopped by anything else except an appeal to the Senators in charge of the bill upon setting forth the situation and an appeal to the proprieties. I am sure it is not the intention of the Senator from Rhode Island, by the calling of the roll, to shut off anybody, and especially a Senator who had been speaking for a long time, and who then left the Chamber to get something to eat. I am sure he does not intend to proceed in this manner, the Senator not having answered any question, which he invited us last night to ask and said he would answer this morning. I suggest, under the circumstances of the case, while the right does not exist from a parliamentary point of view, the propriety and advisability of not insisting that the roll call shall proceed on this amendment.

Mr. ALDRICH. Mr. President, the Senator from Iowa gave notice of his purpose to offer an amendment to paragraph 312, which has been agreed to by the Senate. The pending amendment is an amendment of the committee to insert certain words in paragraph 313. It does not involve the question of ad valorem at all. If this question is disposed of, that question comes up immediately upon the next amendment of the committee, which is involved in this same paragraph. It is simply a matter of waiting for a few minutes before all this can transpire. There are no rights of anybody involved in it at all. The amendment of the Senator from Iowa is to paragraph 312. It is not involved in the question now before the Senate.

Mr. BEVERIDGE. Will the Senator allow me to ask him a question?

Mr. ALDRICH. Certainly.

Mr. BEVERIDGE. While that might be true, I would suggest that some Senators who are earnest about the matter may feel that their rights are involved; and would it not be a better course to withdraw the roll call and let Senators do what they think is proper about it? Would not that be the fairer and the more generous course?

THE PRESIDING OFFICER. The Chair suggests to Senators that the discussion is proceeding by unanimous consent.

Mr. ALDRICH. As this vote is only one of a number of votes which must be taken upon this subject, and does not involve at all the question of ad valorem which is involved in the next amendment of the committee, I can see no reason for not proceeding now with the roll call.

Mr. DOLLIVER entered the Chamber.

Mr. ALDRICH. The Senator from Iowa then will be in a position where he can offer his amendment to the amendment of the committee and raise the whole question which he proposes to raise by his amendment. I do not think that I am taking any advantage of anybody by asking that the roll call shall proceed.

Mr. DOLLIVER. I offered an amendment or indicated that I would propose an amendment to paragraph 312. It is logical that we should dispose of paragraph 312 first. Then we could proceed to paragraph 313, voting for or against the committee's amendment, with the matters that are involved by the amendment I have to paragraph 312 out of the way. As it would re-

quire only a few minutes, I ask the Senator from Rhode Island to permit the amendment to paragraph 312 to be offered.

Mr. ALDRICH. I can not consent to that, of course. The committee amendments, under our general understanding, are first to be disposed of. The committee amendment is now pending to this paragraph. I can not consent to go back to paragraph 312, and I should not have consented if the Senator had been here. So he has lost no rights.

Mr. NELSON. Will the Senator from Rhode Island yield to me?

Mr. ALDRICH. Certainly.

Mr. NELSON. Let me ask, for my information, Were not what are now paragraphs 312 and 313 put in one paragraph in the Dingley law?

Mr. ALDRICH. Oh, no.

Mr. NELSON. Paragraph 312.

Mr. ALDRICH. They are separate paragraphs. The amendment of the committee is to insert in paragraph 313 the provisions of paragraph 312, bodily.

Mr. NELSON. I understand it is virtually a substitute for paragraph 312.

Mr. ALDRICH. And then put it into paragraph 313.

Mr. NELSON. If that is the case, I suggest that the Senator from Iowa can reach it by offering his amendment as an amendment to the committee amendment.

Mr. ALDRICH. When the pending amendment is disposed of, then the committee amendment with reference to ad valorem comes up, and the whole question which the Senator from Iowa desires to raise is then before the Senate. That is the orderly and the proper procedure of the Senate.

Mr. DOLLIVER. If the Senator will permit me, I should like to have the first amendment of the committee read.

Mr. ALDRICH. It simply puts in certain words. I do not think anybody will object to that.

Mr. BEVERIDGE. Of course the Senator is going to compel the position—

Mr. ALDRICH. I have the floor. I think the Senator from Iowa will not object to voting on the pending amendment.

Mr. DOLLIVER. I believe that the particular amendment is to consolidate these paragraphs.

Mr. ALDRICH. That is all it is.

Mr. DOLLIVER. Then will come the question on the committee's amendment striking out the ad valorem proviso and substituting the specifics.

Mr. ALDRICH. That is the precise question which the Senator desires to raise.

Mr. DOLLIVER. The question, then, can be taken on agreeing or not agreeing to that amendment.

Mr. ALDRICH. That is right.

The PRESIDING OFFICER. The roll call will proceed.

The Secretary proceeded to call the roll.

Mr. CLARKE of Arkansas (when his name was called). I am paired with the junior Senator from Delaware [Mr. RICHARDSON]. If he were present, I should vote "nay."

Mr. FRAZIER (when his name was called). I am paired with the senior Senator from Oregon [Mr. BOURNE] to-day. If he were present, I should vote "nay."

Mr. MONEY (when his name was called). I am paired generally with the Senator from Wyoming [Mr. WARREN]. I transfer my pair to the Senator from Arkansas [Mr. DAVIS], and I vote "nay."

Mr. OLIVER (when his name was called). I am paired with the junior Senator from Oregon [Mr. CHAMBERLAIN]. If he were present, I should vote "yea."

Mr. SMITH of Maryland (when Mr. RAYNER's name was called). My colleague [Mr. RAYNER] is unavoidably absent. He is paired with the senior Senator from New York [Mr. DEPEW]. If my colleague were present, he would vote "nay."

Mr. ELKINS (when Mr. SCOTT's name was called). My colleague [Mr. SCOTT] is unavoidably detained from the Senate, and is paired with the Senator from Florida [Mr. TALIAFERRO]. If my colleague were present, he would vote "yea."

Mr. SMITH of Michigan (when his name was called). I am paired with the Senator from Mississippi [Mr. McLAURIN]. If he were present, I should vote "yea."

Mr. TILLMAN (when the name of Mr. SMITH of South Carolina was called). My colleague [Mr. SMITH of South Carolina] is absent on account of illness in his family. I understood that he was paired with the Senator from New Hampshire [Mr. BURNHAM], but I do not know.

Mr. BURNHAM. I was paired with him for one day some time since, but I am not paired with him now.

The PRESIDING OFFICER. The Senator from New Hampshire [Mr. BURNHAM] states that no such pair exists.

Mr. SUTHERLAND (when his name was called). I am paired with the junior Senator from Tennessee [Mr. TAYLOR]. I will transfer my pair to the junior Senator from Montana [Mr. DIXON], and vote. I vote "yea."

Mr. FLETCHER (when Mr. TALIAFERRO's name was called). My colleague is unavoidably absent. He is paired with the Senator from West Virginia [Mr. SCOTT], who is also absent.

Mr. CLARK of Wyoming (when Mr. WARREN's name was called). My colleague [Mr. WARREN] for this day is absent from the Chamber and from the city. He is paired on this vote with the Senator from Arkansas [Mr. DAVIS]. If my colleague were present, he would vote "yea."

The roll call was concluded.

Mr. JOHNSTON of Alabama. My colleague [Mr. BANKHEAD] is paired with the junior Senator from Nevada [Mr. NIXON]. If my colleague were present, he would vote "nay."

Mr. FRYE (after having voted in the affirmative). I have a general pair with the Senator from Virginia [Mr. DANIEL]. Under the terms of the pair each is to exercise his own judgment as to whether to vote or not; but as he is absent from the city, I will recognize the pair in this case. I withdraw my vote.

Mr. MONEY. I desire to say that my colleague [Mr. McLAURIN] if present would vote "nay." He is paired with the Senator from Michigan [Mr. SMITH].

Mr. FRAZIER. I transfer my pair with the Senator from Oregon [Mr. BOURNE] to the Senator from South Carolina [Mr. SMITH], and vote. I vote "nay."

Mr. MARTIN. My colleague [Mr. DANIEL] was unexpectedly and necessarily called from the city last night, and will not be able to attend the session to-day.

The result was announced—yeas 41, nays 30, as follows:

YEAS—41.

Aldrich	Crane	Guggenheim	Perkins
Borah	Cullom	Hale	Piles
Bradley	Curtis	Heyburn	Root
Brandeggee	Dick	Johnson, N. Dak.	Smoot
Briggs	Dillingham	Jones	Stephenson
Bulkeley	du Pont	Kean	Sutherland
Burnham	Elkins	Lodge	Warner
Burrows	Flint	McCumber	Wetmore
Burton	Foster	McEnery	
Carter	Gallinger	Page	
Clark, Wyo.	Gamble	Penrose	

NAYS—30.

Bacon	Crawford	Johnston, Ala.	Paynter
Bailey	Culberson	La Follette	Shively
Beveridge	Cummins	Martin	Simmons
Bristow	Dolliver	Money	Smith, Md.
Brown	Fletcher	Nelson	Stone
Burkett	Frazier	Newlands	Tillman
Clapp	Gore	Overman	
Clay	Hughes	Owen	

NOT VOTING—20.

Bankhead	Davis	Nixon	Smith, Mich.
Bourne	Depew	Oliver	Smith, S. C.
Chamberlain	Dixon	Rayner	Taliaferro
Clarke, Ark.	Frye	Richardson	Taylor
Daniel	McLaurin	Scott	Warren

So the amendment of the committee was agreed to.

Mr. ALDRICH. I ask that the vote be now taken on the second amendment of the committee.

Mr. DOLLIVER. Before that is done, I want to take just a moment to make a statement.

I said that I had no particular objection to the entire elimination of paragraph 312, provided it was carried forward into paragraph 313, and I said that because the total importations under paragraph 312 in the full year 1907 of our foreign commerce were hardly noticeable. Therefore it makes little particular difference whether it is placed in the next countable paragraph or not. The amendments which the committee now propose to paragraph 313 involve the whole question of our proposed departure from the Dingley law.

Paragraph 313 is partly specific and partly ad valorem. The Dingley ad valorem are carried in the proviso which the Senate committee has struck out, and the committee's specifics are carried in the italics which they have substituted for the Dingley proviso. Therefore, those of us who desire to preserve intact the Dingley law can do so by voting against the committee amendments.

Mr. LA FOLLETTE. Mr. President—

The PRESIDING OFFICER. Will the Senator permit the Chair to have the amendment read? Then he will be recognized.

Mr. LA FOLLETTE. Certainly.

The PRESIDING OFFICER. The amendment of the committee will be stated.

The SECRETARY. In paragraph 313, page 98, line 6, after the word "yard" and the semicolon, insert:

Valued at over 7 and not over 9 cents per square yard, 2½ cents per square yard; valued at over 9 and not over 10 cents per square yard, 3 cents per square yard; valued at over 10 and not over 12½ cents per square yard, 4½ cents per square yard; valued at over 12½ and not over 14 cents per square yard, 5½ cents per square yard; valued at over 14 cents per square yard, 7 cents per square yard, but not less than 25 per cent ad valorem—

And a semicolon.

Mr. LA FOLLETTE. Mr. President, some information bearing upon one phase of this discussion reached me to-day, which I think it well to lay before the Senate at this time.

The Senator from Rhode Island has said that the manufacturers did not know about the emasculation and evisceration of these cotton schedules by the courts and appraisers. Therefore he suggests that they are not bound by the testimony of Mr. Lippitt when he said before the House Committee on Ways and Means that the present schedules were satisfactory and should not be disturbed.

About a year and a half ago the Government procured a test case to be brought to settle this etamine question, about which we have heard so much here. This was the case in which the appraisers, once and for all, disposed of the questions raised by the absurd rulings of Mr. Hartshorne, and finally decided them as they had always before decided—that countable cotton cloths were not dutiable as etamines. The record in that case is on file in the library of the General Appraisers in New York. This was the crowning emasculation of the etamine duty. This was the most important of those decisions, which the manufacturers are supposed not to know about, and, therefore, not to complain about.

Now, who were the witnesses in this case by which the contention of Mr. Hartshorne was sought to be sustained? Why! They were the very men who were interested in having such a construction put upon the law. They were the manufacturers themselves and their agents.

I have had a wire sent to New York for the names of these witnesses and a copy of the testimony. The testimony is on the way. The names of the witnesses I have already received by wire. I will read them to the Senate:

1. George B. Duren. Who is he? Why! He is the selling end of H. L. Lippitt's mills, the Manville Company, of Providence, R. I.

2. J. R. MacColl. This is the same J. R. MacColl who was with Mr. Lippitt in Washington when this bill was before the House committee and who signed with Mr. Lippitt that famous letter, which has been referred to here, on behalf of the Arkwright Club, of Boston. He was also before the House committee after public hearings.

3. Dorman, who is the selling end at New York of the Lorraine Manufacturing Company, of Providence, R. I., of which MacColl is the manager.

Will anyone say in the face of the facts that the manufacturers had no knowledge of these so-called "emasculating decisions," and that that is the reason why they did not bring them to the attention of the House committee in the public hearings? They knew all about them. They knew that the decisions of Mr. Hartshorne were ridiculous and that these decisions of the appraisers were right, and naturally they did not direct public attention in those hearings to their efforts to have these Hartshorne decisions sustained by the appraisers.

It seemed to me fitting that the Senate should have this information before passing upon the proposed increase in the rates of the cotton schedule.

The Senator from Iowa [Mr. DOLLIVER] has directed attention to the specific duties proposed to be substituted for ad valorem duties of the present law. Before the vote is taken upon any of these amendments I ask the attention of the Senate for a few minutes, while I submit unanswerable proof of increases in the rates of this cotton schedule disclosed by the very terms of paragraphs 313, 314, 315, 316, and 317.

There is not a single reduction in paragraphs 313 to 317, inclusive. There are increases upon the face of the bill without resort to importations of any year or reference to equivalent ad valorem. These increases have nothing to do with the administration of the law and have not been affected by any decisions that have been rendered. They are a positive increase over the express terms of the Dingley law as originally administered.

Now, there has been a sharp conflict in this matter. I ask the Senator from Rhode Island to go through these paragraphs item by item with me before the Senate, and I assert positively that if he will do so every Senator will be convinced that the increases are very large and that there is not one reduction.

Mr. BEVERIDGE. Mr. President, may I ask the Senator from Wisconsin a question?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Indiana?

Mr. LA FOLLETTE. Certainly.

Mr. BEVERIDGE. My attention was diverted for a moment, and therefore I did not catch it clearly; but the impression made on my mind by the statement of the Senator was that he stated positively that there had been a large number of increases on matters not affected by the decision.

Mr. LA FOLLETTE. And not—

Mr. BEVERIDGE. Pardon me. Increases by the law as originally interpreted. Is that correct?

Mr. LA FOLLETTE. It is; and as originally administered—

Mr. BEVERIDGE. I mean as originally administered.

Mr. LA FOLLETTE. And if Senators will turn to page 98 of the bill, and to line 6 on that page, I will state the exact rates of the Dingley law and the proposed rates of the Aldrich bill. Upon the goods affected, from line 6 to line 16 of the bill, covered by the matter printed in italics, the Dingley rate is an ad valorem rate of 25 per cent. Now, follow me: "Valued at over 7 cents and not over 9 cents per square yard," the Dingley rate is 25 per cent; applied to cloth of those values the Dingley duties would be from 1½ cents for the lowest value up to 2½ cents for the highest value. The Aldrich rate, by specific terms, would be 2½ cents per square yard on cloth of those values. Increase over lowest Dingley rate, 28½ per cent.

Taking the next grade, "valued at over 9 cents and not over 10 cents per square yard," the Dingley ad valorem of 25 per cent, applied to cloth of those values, gives us rates from 2½ for the lowest value to 2½ cents per square yard for the highest value, while the rate fixed by plain terms in this bill for cloth of the same value is 3 cents per square yard. Increase over lowest Dingley rate, 33½ per cent.

Mr. ALDRICH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Rhode Island?

Mr. LA FOLLETTE. I do.

Mr. ALDRICH. Does the Senator want that explained now?

Mr. LA FOLLETTE. Well, the Senator can elect to explain now or to explain when I get through.

Mr. ALDRICH. I will say to the Senator now, right in the beginning, that under the act of 1897, as originally interpreted, and according to the intention of Congress, the rate on articles which are now subject to duty at 25 per cent ad valorem was 60 per cent ad valorem and 45 per cent ad valorem, and not 25 per cent ad valorem.

Mr. LA FOLLETTE. If the Senator had not retreated with such precipitate haste from the Chamber this morning, he would not now make that assertion.

Mr. ALDRICH. I do make it. I make it on my own authority, on the authority of every expert in the United States, and every other person who has any knowledge upon this question.

Mr. LA FOLLETTE. The Senator's knowledge and his authority have been so overwhelmingly impeached that I do not believe Senators will be inclined to follow him. I know that an intelligent American people will not. I proceed. If the Senator has not any better answer than that, I will say that we have heard that often enough.

Take the next grade on goods valued at over 10 cents—and I am going to read these through, so that they will be of record—"valued at over 10 cents and not over 12½ cents per square yard;" the Dingley ad valorem rate applied to that value is 2½ cents per square yard for the lowest value to 3½ cents per square yard for the highest value. The rate fixed by the Aldrich bill is 4½ cents per square yard on all, the low and the high. Increase over lowest Dingley rate, 75 per cent.

Taking the next grade, "valued at over 12½ cents and not over 14 cents per square yard," the Dingley ad valorem applied to cloth of those values is from 3½ cents to 3½ cents, depending upon the value of each square yard of cloth, while the duty fixed by the terms of the Aldrich bill is 5½ cents per square yard on cloth of the low value as well as on cloth of the high value. Increase over lowest Dingley rate, 76 per cent.

Passing to the next grade, "valued at over 14 cents per square yard," the Dingley rate is 3½ cents per square yard, but not less than 25 per cent; while the rate fixed in the Aldrich bill is 7 cents per square yard, but not less than 25 per cent ad valorem, an increase over the lowest Dingley rate of 100 per cent. Passing now to the next grade of cloth in this paragraph, and directing the attention of the Senate to the italicized words in line 21, bleached cloth "valued at over 9 and not over 11 cents per square yard," the Dingley ad valorem rate of 25 per cent, when reduced to a specific rate, is 2½ cents to 2½ cents per square yard, according to the square yard value of the cloth.

The duty fixed in the Aldrich bill is $2\frac{1}{2}$ cents per square yard on all, an increase over the lowest Dingley rate of 22 per cent.

On the next higher grade, "valued at over 11 and not over 12 cents per square yard," the Dingley rate is from $2\frac{1}{2}$ cents to 3 cents per square yard, and the rate fixed by the Aldrich bill is $4\frac{1}{2}$ cents per square yard on all, the low value as well as the high value, an increase over the lowest Dingley rate of $54\frac{1}{2}$ per cent.

On the next grade of cloth, "valued at over 12 and not over 15 cents per square yard," the Dingley ad valorem, reduced to a specific rate, is from 3 to $3\frac{3}{4}$ cents per square yard. The specific rate fixed in the Aldrich bill for cloth of these values is $5\frac{1}{2}$ cents per square yard, an increase over the lowest Dingley rate of 75 per cent.

On the next grade of cloth, "valued at over 15 and not over 16 cents per square yard," the Dingley rate is from $3\frac{3}{4}$ to 4 cents per square yard. The Aldrich rate for cloth of these values is $6\frac{1}{2}$ cents per square yard, an increase over the lowest Dingley rate of 60 per cent.

On the next grade, "valued at over 16 cents per square yard," the Dingley rate is 4 cents per square yard, but not less than 25 per cent. The Aldrich rate is 8 cents per square yard on all in that bracket, no matter what the value may be, but not less than 25 per cent ad valorem, an increase over the lowest Dingley rate of 100 per cent.

Passing now to the bottom of page 99, to the next italicized specific rates, in line 22—and this is goods dyed, all of the same numbers as given before, "valued at over 12 and not over $12\frac{1}{2}$ cents per square yard"—the Dingley rate is 30 per cent ad valorem, or $3\frac{3}{4}$ cents to $3\frac{3}{4}$ cents per square yard. The Aldrich rate is $3\frac{3}{4}$ cents per square yard on all, an increase over the lowest Dingley rate of 4 per cent.

The next grade, "valued at over $12\frac{1}{2}$ and not over 15 cents per square yard," the Dingley rate of 30 per cent gives us a duty of $3\frac{3}{4}$ cents to $4\frac{1}{2}$ cents per square yard, while the Aldrich rate is $5\frac{1}{2}$ cents, an increase over the lowest Dingley rate of 40 per cent.

On the next grade of cotton cloth, "valued at over 15 and not over $17\frac{1}{2}$ cents per square yard," the Dingley rate is $4\frac{1}{2}$ to $5\frac{1}{2}$ cents, while the Aldrich rate proposed is 7 cents per square yard, an increase over the lowest Dingley rate of $55\frac{1}{2}$ per cent.

On the next grade, "valued at over $17\frac{1}{2}$ and not over 20 cents per square yard," the Dingley rate is from $5\frac{1}{2}$ to 6 cents per square yard; and the Aldrich rate is 8 cents per square yard, an increase over the lowest Dingley rate of $52\frac{1}{2}$ per cent.

On the next grade, "valued at over 20 cents per square yard," the Dingley rate is 6 cents per square yard, but not less than 30 per cent. The Aldrich rate is 10 cents per square yard, but not less than 30 per cent ad valorem, an increase over the lowest Dingley rate of $66\frac{2}{3}$ per cent.

Mr. ALDRICH. Will the Senator permit me to interrupt him for a moment?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Rhode Island?

Mr. LA FOLLETTE. In just a moment.

Mr. ALDRICH. When the Senator says that the Dingley rate is so many cents a square yard, I wish to say that the Dingley rate is not so many cents a square yard, but that it is 25 per cent ad valorem.

Mr. LA FOLLETTE. It is 30 per cent ad valorem, and other Senators understand that I am giving the specific equivalent of the Dingley ad valorem rate. If there is any other Senator here who does not understand it, I should be glad to have him rise and say so.

Mr. ALDRICH. I want to call the attention of the Senator to the fact that the rates which he is quoting as Dingley rates are not Dingley rates at all.

Mr. LA FOLLETTE. The rates that I am quoting as Dingley rates are the Dingley rates. The Senator's dictum does not go any longer.

Mr. ALDRICH. We will see in a moment.

Mr. LA FOLLETTE. Oh, it will probably be voted through. The votes upon all Senate amendments, from the beginning of the consideration of this bill, have demonstrated that this schedule and this bill will pass. This bill was, in fact, passed, let me say to the Senate, when the Senator from Rhode Island was clothed with authority at the beginning of this session to appoint the committee on committees for the Republican membership of the Senate.

Passing now to the next amendment, in line 16, paragraph 314.

On cloth "valued at over 9 and not over 10 cents per square yard," taking a 30 per cent ad valorem duty under the Dingley law, gives us a duty of from 2.7 cents to 3 cents per square yard. The rate fixed by the Aldrich bill is 3 cents per square yard in specific terms for the low value as well as the high, an increase over the lowest Dingley rate of 11.1 per cent.

Passing to the next grade, "valued at over 10 but not over $12\frac{1}{2}$ cents per square yard," the Dingley rate is 3 cents to $3\frac{3}{4}$ cents per square yard, and the rate fixed by the Aldrich bill is $4\frac{1}{2}$ cents per square yard, an increase over the lowest Dingley rate of $45\frac{1}{2}$ per cent.

Upon the next grade, "valued at over $12\frac{1}{2}$ but not over 14 cents per square yard," the Dingley rate is $3\frac{3}{4}$ cents to $4\frac{1}{2}$ cents per square yard, and the rate fixed by the Aldrich bill is $5\frac{1}{2}$ cents per square yard, an increase over the lowest Dingley rate of $46\frac{2}{3}$ per cent.

On the next grade, "valued at over 14 and not over 16 cents per square yard," the Dingley rate is $4\frac{1}{2}$ cents to $4\frac{1}{2}$ cents per square yard, and the Aldrich rate in specific terms is $6\frac{1}{2}$ cents per square yard, an increase over the lowest Dingley rate of $54\frac{1}{2}$ per cent.

Upon the next grade, "valued at over 16 cents per square yard," the Dingley rate is $4\frac{1}{2}$ cents per square yard, but not less than 30 per cent ad valorem. The Aldrich rate is 8 cents per square yard, but not less than 30 per cent ad valorem, an increase over the lowest Dingley rate of $66\frac{2}{3}$ per cent.

Passing now to bleached cloth, in paragraph 314, line 8, page 101, for cloths of this description the Dingley rate is 35 per cent ad valorem, and Senators can apply that rate to the value of the cloth as expressed; "valued at over 11 and not over 12 cents per square yard," the Dingley rate is $3\frac{17}{20}$ to $4\frac{1}{2}$ cents per square yard; the rate fixed in specific terms by the Aldrich bill is $4\frac{1}{2}$ cents per square yard, an increase over the lowest Dingley rate of $10\frac{1}{2}$ per cent.

On the next grade of bleached cloth, "valued at over 12 and not over 15 cents per square yard," the Dingley rate is $4\frac{1}{2}$ cents per square yard to $5\frac{1}{2}$ cents per square yard; the rate fixed by the Aldrich bill in specific terms is $5\frac{1}{2}$ cents per square yard, an increase over the lowest Dingley rate of 25 per cent.

On cloth of the next grade, "valued at over 15 and not over 16 cents per square yard," the Dingley rate is $5\frac{1}{2}$ to $5\frac{1}{2}$ cents per square yard; the Aldrich rate is $6\frac{1}{2}$ cents per square yard, an increase over the lowest Dingley rate of $23\frac{1}{3}$ per cent.

On the next grade, "valued at over 16 and not over 20 cents per square yard," the Dingley rate is $5\frac{1}{2}$ to 7 cents per square yard; the Aldrich rate is 8 cents per square yard, an increase over the lowest Dingley rate of $42\frac{2}{3}$ per cent.

On the next grade, "valued at over 20 cents per square yard," the Dingley rate is 7 cents per square yard, but not less than 35 per cent ad valorem; the Aldrich rate is 10 cents per square yard, but not less than 35 per cent ad valorem, an increase over the lowest Dingley rate of $42\frac{2}{3}$ per cent.

Passing now to the next amendment in this paragraph, which will be found on page 102, beginning in line 9—and this refers to dyed, colored, stained, painted, and printed cloth of this count—"valued at over $12\frac{1}{2}$ but not over 15 cents per square yard," the Dingley rate is $4\frac{1}{2}$ cents per square yard to $5\frac{1}{2}$ cents per square yard; the Aldrich rate is $5\frac{1}{2}$ cents per square yard for all, an increase over the lowest Dingley rate of 20 per cent.

On the next grade of this cloth, "valued at over 15 and not over $17\frac{1}{2}$ cents per square yard," the Dingley rate is $5\frac{1}{2}$ cents to $6\frac{1}{2}$ cents per square yard; the Aldrich rate is 7 cents per square yard, an increase over the lowest Dingley rate of $23\frac{1}{3}$ per cent.

On the next grade, "valued at over $17\frac{1}{2}$ but not over 20 cents per square yard," the Dingley rate is $6\frac{1}{2}$ cents to 7 cents per square yard; the Aldrich rate is 8 cents per square yard, an increase over the lowest Dingley rate of $30\frac{2}{3}$ per cent.

On the next rate, "valued at over 20 cents per square yard," the Dingley rate is 7 cents, but not less than 35 per cent ad valorem; the Aldrich rate is 10 cents per square yard, but in no case less than 35 per cent ad valorem, an increase over the lowest Dingley rate of $42\frac{2}{3}$ per cent.

Passing now to paragraph 315, page 103, taking the amendment printed in italics, beginning at line 2, "valued at over 10 and not over $12\frac{1}{2}$ cents per square yard," the Dingley rate is 35 per cent, which, reduced to a specific equivalent, is $3\frac{3}{4}$ to $4\frac{1}{2}$ cents per square yard; the Aldrich rate is $4\frac{1}{2}$ cents per square yard on all, an increase over the lowest Dingley rate of 25 per cent.

On the next rate, "valued at over $12\frac{1}{2}$ and not over 14 cents per square yard," the Dingley rate is $4\frac{1}{2}$ to $4\frac{1}{2}$ cents; the Aldrich rate is $5\frac{1}{2}$ cents per square yard, an increase over the lowest Dingley rate of $23\frac{1}{3}$ per cent.

On the next grade, "valued at over 14 and not over 16 cents per square yard," the Dingley rate is $4\frac{1}{2}$ cents to $5\frac{1}{2}$ cents per square yard; the Aldrich rate is $6\frac{1}{2}$ cents per square yard, an increase over the lowest Dingley rate of $32\frac{2}{3}$ per cent.

On the next grade, "valued at over 16 and not over 20 cents per square yard," the Dingley rate is $5\frac{1}{2}$ cents to 7 cents per square yard; the Aldrich rate is 8 cents a square yard, an increase over the lowest Dingley rate of $42\frac{2}{3}$ per cent.

On the next grade, "valued at over 20 cents per square yard," the Dingley rate is 7 cents, but not less than 35 per cent ad valorem; and the Aldrich rate is 10 cents per square yard, but not less than 35 per cent ad valorem, an increase over the lowest Dingley rate of 42½ per cent.

The next amendment is, in line 20, on page 103, printed in italics, "valued at over 12 and not over 15 cents per square yard." The Dingley rate for cloth of this quality is 35 per cent ad valorem, "valued at over 12 and not over 15 cents per square yard;" the specific Dingley rate is 4½ to 5½ cents for each square yard; the Aldrich rate is 5½ cents for all, an increase over the lowest Dingley rate of 25 per cent.

On the next grade, "valued at over 15 and not over 16 cents per square yard," the Dingley rate is 5½ to 5½ cents per square yard; the Aldrich rate is 6½ cents per square yard, an increase over the lowest Dingley rate of 23.8 per cent.

On the next grade, "valued at over 16 and not over 20 cents per square yard," the Dingley rate is 5½ cents per square yard to 7 cents per square yard; the Aldrich rate is 8 cents per square yard, an increase over the lowest Dingley rate of 42½ per cent.

On the next grade, "valued at over 20 cents per square yard," the Dingley rate is 7 cents per square yard, but not less than 35 per cent ad valorem, and the Aldrich rate is 10 cents per square yard, but not less than 40 per cent ad valorem, an increase over the lowest Dingley rate of 14½ per cent.

The next amendment is on page 104, line 19, and is for cloth, dyed, and so forth, of this count, "valued at over 12½ and not over 15 cents per square yard," the Dingley rate, which is 40 per cent ad valorem, is a specific rate of from 5 to 6 cents a square yard; the Aldrich rate, upon which the Senate must vote this afternoon, is 6 cents per square yard, an increase over the lowest Dingley rate of 20 per cent.

On the next grade of cloth, "valued at over 15 and not over 17½ cents per square yard," the Dingley rate is from 6 to 7 cents per square yard and the Aldrich rate 7 cents per square yard on all, an increase over the lowest Dingley rate of 16½ per cent.

On the next grade, "valued at over 17½ and not over 20 cents per square yard," the Dingley rate is 7 to 8 cents per square yard and the Aldrich rate 8 cents per square yard on all, an increase over the lowest Dingley rate of 14½ per cent.

On cloth of the next grade, "valued at over 20 cents per square yard," the Dingley rate is 8 cents per square yard, but not less than 40 per cent, and the Aldrich rate is 10 cents per square yard, but not less than 40 per cent ad valorem, an increase over the lowest Dingley rate of 25 per cent.

Passing to the next paragraph, 316, cotton cloth, not bleached, dyed, and so forth, exceeding two and not exceeding three hundred threads to the square inch, and taking the amendment which Senators will find on page 105, in line 13, the Dingley rate for this paragraph is 40 per cent ad valorem, reduced to a specific equivalent and applied to cloth valued at over 12½ and not over 14 cents per square yard, the Dingley rate is 5 to 5½ cents and the Aldrich rate is 5½ cents per square yard for all, an increase over the lowest Dingley rate of 10 per cent.

On the next grade in this paragraph on cloth "valued at over 14 and not over 16 cents per square yard," the Dingley rate is 5½ to 6½ cents per square yard; the Aldrich rate is 6½ cents per square yard on all, an increase over the lowest Dingley rate of 16 per cent.

On the next grade, "valued at over 16 and not over 20 cents per square yard," the Dingley rate is 6½ to 8 cents per square yard, and the Aldrich rate is 8 cents per square yard on all, an increase over the lowest Dingley rate of 25 per cent.

On the next grade, "valued at over 20 cents per square yard," the Dingley rate is 8 cents, but not less than 40 per cent; the Aldrich rate is 10 cents per square yard, but not less than 40 per cent ad valorem, an increase over the lowest Dingley rate of 25 per cent.

Passing to the next amendment in this paragraph, which will be found on page 106, at line 2, beginning with the matter printed in italics—this refers to cloth that is bleached, "valued at over 15 and not over 16 cents per square yard"—the Dingley rate is 6 to 6½ cents per square yard; the Aldrich rate is 6½ cents per square yard on all, an increase over the lowest Dingley rate of 8 per cent.

On the next grade, "valued at over 16 and not over 20 cents per square yard," the Dingley rate is 6½ to 8 cents per square yard; the Aldrich rate is 8 cents per square yard on all, an increase over the lowest Dingley rate of 25 per cent.

On the next grade, "valued at over 20 and not over 25 cents per square yard," the Dingley rate is 8 to 10 cents per square yard, and the Aldrich rate is 11½ cents per square yard on all, an increase over the lowest Dingley rate of 43½ per cent.

On the next grade, "valued at over 25 cents per square yard," the Dingley rate is 10 cents, but not less than 40 per

cent; and the Aldrich rate is 12½ cents per square yard, but not less than 40 per cent ad valorem, an increase over the lowest Dingley rate of 25 per cent.

Passing to the next amendment in this paragraph, which will be found on the same page, at line 20, on cotton cloth "valued at over 17½ cents and not over 20 cents per square yard," the Dingley rate is from 7 to 8 cents per square yard, and the Aldrich rate is 8 cents per square yard on all, an increase over the lowest Dingley rate of 14½ per cent.

On the next grade, "valued at over 20 and not over 25 cents per square yard," the Dingley rate is 8 to 10 cents per square yard, and the Aldrich rate is 11½ cents per square yard on all, an increase over the lowest Dingley rate of 40½ per cent.

On the next grade, "valued at over 25 cents per square yard," the Dingley rate is 10 cents, but not less than 40 per cent, and the Aldrich rate is 12½ cents per square yard, but not less than 40 per cent ad valorem, an increase over the lowest Dingley rate of 25 per cent.

Paragraph 317, being the last of these paragraphs, embraces "cotton cloth not bleached, dyed, colored, stained, printed, or painted, exceeding 300 threads to the square inch." The Dingley rate is 40 per cent ad valorem. The first amendment, printed in italics, is found on page 107, beginning in line 9. On cloth "valued at over 14 and not over 16 cents per square yard," reduced to a specific ad valorem this is a duty of 5½ cents to 6½ cents per square yard. The rate under the Aldrich amendment is 6½ cents per square yard on all, an increase over the lowest Dingley rate of 16 per cent.

On the next grade, "valued at over 16 and not over 20 cents per square yard," the Dingley rate is 6½ cents to 8 cents per square yard; the Aldrich rate is 8 cents per square yard on all, an increase over the lowest Dingley rate of 25 per cent.

On the next grade, "valued at over 20 and not over 25 cents per square yard," the Dingley rate is 8 to 10 cents per square yard; and the Aldrich rate is 11½ cents a square yard on all, an increase over the lowest Dingley rate of 40½ per cent.

On the next grade, "valued at over 25 cents per square yard," the Dingley rate is 10 cents, but not less than 40 per cent ad valorem; the Aldrich rate is 12½ cents per square yard, but not less than 40 per cent ad valorem, an increase over the lowest Dingley rate of 25 per cent.

Passing to the next amendment in this paragraph, which will be found at the bottom of page 107, line 24, and is for bleached cloth "valued at over 16 and not over 20 cents per square yard," the Dingley rate of 40 per cent is from 6½ cents to 8 cents per square yard; the Aldrich rate is 8 cents per square yard upon all, an increase over the lowest Dingley rate of 25 per cent.

On the next grade, "valued at over 20 and not over 25 cents per square yard," the Dingley rate is 8 to 10 cents per square yard; the Aldrich rate is 11½ cents per square yard, an increase over the lowest Dingley rate of 40½ per cent.

On the next grade, "valued at over 25 cents per square yard," the Dingley rate is 10 cents per square yard, but not less than 40 per cent ad valorem; the Aldrich rate is 12½ cents per square yard, but not less than 40 per cent ad valorem, an increase over the lowest Dingley rate of 25 per cent.

Passing to the next proposed amendment in this paragraph, which begins in line 15, page 108, and is printed in italics, to which under the Dingley law a 40 per cent ad valorem rate would apply on cloth "valued at over 20 and not over 25 cents per square yard," the Dingley rate is from 8 cents to 10 cents per square yard. The Aldrich rate is 11½ cents per square yard on all, an increase over the lowest Dingley rate of 40½ per cent.

"Valued at over 25 cents per square yard," the Dingley rate is 10 cents per square yard, but not less than 40 per cent ad valorem; the Aldrich rate is 12½ cents per square yard, but not less than 40 per cent ad valorem, an increase over the lowest Dingley rate of 25 per cent.

I deemed it worth while, Mr. President, before the vote was taken on this amendment, to place in the RECORD those facts shown upon the face of the bill when compared with the Dingley law. I take it that the Senate can not have any doubt as to how the rates expressed in cents per square yard are ascertained. Applying the Dingley ad valorem in each case to the stated value of the cloth, I have expressed its specific equivalent in cents. I invite contradiction or explanation of the increases shown by the expressed terms of this bill.

Mr. BAILEY. Mr. President, I shall vote against the pending amendments, because I believe they increase the existing rates; but, even if I believed that they did not actually increase the rates and left them as they now stand, I would vote against them, because I prefer, at all times and with all schedules, an ad valorem as against a specific duty.

But, while I shall vote with the Senator from Iowa, I feel that it is due at least to my own conviction to say—and I be-

lieve I voice the feeling of a large majority, if not of all, Senators on this side—that in casting that vote we are not actuated by any desire to maintain the Dingley schedules. Speaking for myself, there are few schedules in the bill that I would not be glad to reduce, and for a reduction of which I would not vote; but whenever it is impossible to make a reduction as low as I would desire to make it, reducing the duty to a revenue basis, and I am compelled to choose, as we have been frequently compelled to choose during the consideration of this bill, between high protection and moderate protection, I take moderate protection as the least of the two evils.

Mr. TILLMAN. Mr. President, I do not desire to say anything bitter or to hurt anybody's feelings, but I am very, very tired of the sham battle, or what appears to me to be one, on the other side. Last night the Senator from Rhode Island [Mr. ALDRICH] proved to his entire satisfaction, and, apparently, to the satisfaction of the Macedonian phalanx which he has organized and holds together, that there is no increase of duty in the Senate amendments. The Senator from Wisconsin [Mr. LA FOLLETTE] yesterday and the Senator from Iowa [Mr. DOLLIVER] to-day have proved, almost from the same sources of evidence—the same witnesses, and so forth, Mr. Parkhill being a star witness on both sides—that there is a material increase; and when the debate is about to close, those of us on this side who want to get what we can out of this so-called "tariff revision" in the way of relief from the burdens imposed by the Dingley schedules are told by the Senator from Iowa that he is not endeavoring, and has never had any view or purpose to do more than to keep the Dingley Act just like it is; to prevent any increase and to make certain of one thing—that if there were any forgotten provisions or paragraphs in the Dingley Act which permit of the frauds of which the Senator from Rhode Island told us last night, he will put out a dragnet of 25 per cent ad valorem to catch them all.

So far as I am concerned, I earnestly want the Senator from Rhode Island to get together his big band, his Macedonian phalanx, as I have said, soldered together by lead, stuck together by beet sugar, riveted together by steel, and hooped together by iron, and by all the other villainies that are in this bill—the combination of greed in the West and in the East and in the Middle West, holding this man and that man and the other man in line to vote as he is ordered—because we have all seen practically that the Senator from Rhode Island is the Senate on this question. [Laughter.] I want him to quit. Why does he not press things to a vote, ring down the curtain on the farce and get through, and let us go home? That is what I want to know.

We have had enough exposure of the how not to do it programme of reform. It amounts to nothing so far as the Democrats are concerned, unless it be to some of us on this side who are trying to pick up a crumb here and there for some little local interest.

The Senator from Rhode Island last night was very persuasive and eloquent in his plea to the South to take care of its own cotton, for it would undoubtedly be a great industry there. It is already a great industry there, and it will be a greater. Speaking for myself, for my own State, for instance, where the industry of manufacturing cotton is advancing by leaps and bounds, we have, say, 80,000 or maybe a few more people—men, women, and children—who are engaged in the cotton-mill industry. We have 600,000 white people and 800,000 negroes who can not get any benefit from that except by the general building up of an industry in our midst which draws from the fields some of the population that otherwise would be compelled to continue to grow cotton as a raw product.

I have as much concern in the welfare and in protecting the interests and rights of the 600,000 as I have in the 80,000 who may be spinning cotton, but no more. The Senator from Rhode Island does not care a snap for them; for, when we plead with him to give us free bagging and ties, in order to relieve us in ever so small a degree from a burden imposed by this trust or that—the steel trust on ties, the bagging trust on bagging, and so forth—he refuses. Yet he appeals to the South to help him to take care of our own country simply because New England is more deeply interested.

I believe in equal rights for all and special privileges for none. That is one of the fundamental principles of Democracy, which I sucked with my mother's milk, and I will be unfit to be called a Democrat when I depart from that doctrine.

I believe in equality of opportunity and equality of burden, and we are not getting it and there is no pretense here of trying to give it to us. We are allowed the poor privilege of voting not to have duties go up, but not the privilege of having them go down, unless we bring in an amendment of our own, with our 27, or 28, or 29, or 30, according to how many of our men

you have seduced over to your doctrine to be overwhelmed by a solid Republican vote.

Therefore I say this sham battle ought to cease. The discussion has gone far enough to demonstrate that there are plenty of iniquities in this bill, plenty of iniquities in the doctrine of protection as you illustrate it. If the people of America are satisfied with it, they will continue to vote you into the House and into the Senate. If they are not satisfied with it, they will vote some of you out and send others here to take care of their interests.

You have been charged to-day by one of your leaders—a leading man; he may not be a leader in the party, but he is a leader in his own State—with being hypocrites. You are not all hypocrites. But you are the boldest band of buccaneers that I have ever seen got together. [Laughter.]

Now, if I have said anything this evening that in the slightest wounds anybody, I want to say in advance I did not intend it, but after six days of this kind of humbug, sham, pretense of an effort to relieve the consumers, I have blown off steam, and now I want to add to the literature of this debate by having printed from a Boston paper a comment on this cotton schedule, and on a speech of their own Senator [Mr. LODGE.]

The PRESIDING OFFICER. Does the Senator from South Carolina ask that it be printed without being read?

Mr. TILLMAN. Oh, no; I want it read. It is too sweet and nice to go in without reading.

The PRESIDING OFFICER. Without objection, the Secretary will read, as requested.

The Secretary read as follows:

DEFENDING DECEPTION—SENATOR LODGE ABANDONS ALL PRETENSE OF MAKING A FAIR REVISION OF THE TARIFF.

[From the Boston Traveler, Wednesday, June 2, 1909.]

Senator LODGE made what is described as the best speech of the session yesterday on the cotton schedules. He began by saying, in effect, that while the Nation may have been fooled into the belief that the Republican party contemplated an honest revision of the tariff, in the only way it would do the consumer any good—downward—neither he nor any of the other leaders of the Chicago convention had made that direct promise, which convicts Mr. LODGE of a carefully planned attempt to deceive.

He made an impassioned plea for the mill operatives of New England, who "must not be deprived of their right to work and wages," and for the manufacturers who must be protected against "cheap labor abroad." The mill operatives, for whom the Nahant Senator's eloquence was unloosed, are practically all Greeks, Syrians, Poles, Armenians, and Italians, who have driven out every other kind of labor, because, under present wages in the cotton mills, to bring up a family under American conditions is absolutely impossible.

Senator LODGE denied that the cotton mills paid unduly large dividends, and attempted to explain away some specific cases where the dividend for one year was over 60 per cent. Apropos of this, there came to our table yesterday a pamphlet from a reputable Boston brokerage house which flatly contradicts Mr. LODGE, and shows that practically all the cotton mills have been paying high dividends, many of them in a few years returning to shareholders an amount equal to the entire capital invested.

Mr. LODGE's defense of the cotton manufacturers, whose mills are filled with aliens on starvation wages, is paralleled in history only by the arguments made in Parliament at the time England was attempting to abolish the slave trade, that if the bringing of black people from Africa to America and elsewhere was prohibited shipowners would not find any use for their vessels, and that these slave ships furnished the only market for decayed fish and other putrid food, on which there would be a dead loss if the slave trade was outlawed.

To prove that revision was "downward" in some cases, Senator LODGE proudly called attention to the fact that on Monday the Senate made an important reduction on the duties on salt, which is fitting and proper. Salt is used to make things more palatable and not infrequently to disguise the taste of rotting food.

More than any utterance of this session, Senator LODGE's speech puts President Taft in an awkward position, because the candidate evidently was not trusted sufficiently by the party leaders to be informed of the deception attempted by the Chicago convention, and openly, on several occasions before that convention and subsequently during the campaign, declared himself in favor of a revision "downward." Inasmuch as Mr. Taft has the final say on what the tariff shall be, the people will know eventually whether he really meant what he said, or, like LODGE and the rest, was only playing politics to get votes.

Mr. CARTER. Mr. President, I reassure the Senate at once by disclaiming any purpose to detain it for any length of time.

I feel under lasting obligations to the Senator from Iowa [Mr. DOLLIVER] for the manner in which he brought this discussion to a close this afternoon. I have been perplexed and mystified by the intricacies of the cotton schedule. I have not pretended at any time to be a master of its mysteries, nor do I now pretend so to understand it as to be able to instruct anyone. I did believe, from the length of the discussion and the vehemence with which it was prosecuted, that a great overwhelming issue was somewhere involved in the mysteries concerning which this discussion proceeded.

From the Senator from Iowa I gathered, and I hope I correctly understood him, this definite conclusion: That all of this week's discussion has been centered about a line of importations not exceeding \$350,000 per year.

Mr. DOLLIVER. If the Senator will permit me, if he gathered any such impression from this discussion, it was owing to his occasional absence from the Chamber.

Mr. CARTER. The Senator stated and repeated the statement that the Senator from Rhode Island was manifestly in error in assuming, as his submission of an article from a newspaper indicated he did assume, that \$500,000 of claims would be asserted against the Government in consequence of a recent refusal of the Supreme Court to grant a writ of review for a certain case. The Senator, I understood, argued that the total amount involved did not exceed \$55,000, and quoted Treasury statistics in support of his statement.

But, Mr. President, the Senator made the further statement that certain articles or fabrics partially made of linen and partially of cotton were by the Dingley Act placed in the schedule relating to flax and linen—that is correct—and at 69 per cent ad valorem.

Mr. DOLLIVER. I do not desire to interrupt the Senator, but he must remember that the Senator from Rhode Island and I agree perfectly that the principle involved in this first paragraph, which does include only a small portion of the imported cotton cloths brought into the country, is exactly the same as the principle involved in all the succeeding paragraphs containing the assessments upon countable cotton. Therefore I see no reason why the Senator should undertake to minimize the importance of this discussion, in view of the fact that it covers the whole field involved in the amendments.

Mr. CARTER. It is true, no doubt, as the Senator from Iowa stated, that the paragraph upon which this 60 per cent rate was based was embraced in what is known as the "flax schedule." As the art progressed the fabrics originally constructed chiefly of linen were in due time made more and more of cotton. The Treasury officials, intending, as they understood their duty to be, to apply the duty to the article or fabric, applied the 60 per cent duty, which was made applicable to this particular fabric, whether made of linen or of cotton. In that ineffectual effort the Treasury ceased to collect certain revenue which was being collected under that construction or the application of that section; and the articles were thenceforth admitted at the lower rate of duty—for a time at 45, and finally down to 25 per cent ad valorem.

It has not been charged or asserted or claimed in any manner here that the admission of this class of goods at the lower rate of duty has cheapened a single one of these goods in the markets of the United States. I do not understand that there is any pretense that the consuming public of this country were given the benefit of the reduction of duty. Mr. President, it can not therefore be reasonably pretended or claimed that if we raise this duty to what was originally intended any increase of price will follow that rate; and then the whole matter resolves itself into this, to wit, that, according to the Senator from Iowa, the Treasury of the United States will benefit at the rate of \$55,000 a year at least, if we raise the duty to where it was and where the committee thinks it ought to be. According to the Senator from Rhode Island, the increase in Government revenues will be very much larger than \$55,000 a year.

Mr. DOLLIVER. If I understand the situation correctly, the committee do not even make the pretense that they are going to restore the 60 per cent in the cases where the courts or the appraisers have denied the application of that rate. They have omitted those articles altogether.

Mr. CARTER. No law can be here passed that will change the application of existing law up to the date this bill is passed. The law now on the statute books will be the law, despite any effort of Congress, until this law of Congress is made a substitute for it. So, of course, no action of Congress can impair the existing rights of parties as fixed by the law, now construed by the courts to be according to the 25 per cent rate.

These rights are fixed and can not be disturbed. That, of course, is elementary. But, from the day the bill passes, the higher rates will be collected; the price of the article to the consumer will remain the same; and the extra money will go into the Treasury of the United States instead of into the pockets of the importer. That seems to be the end and the whole substance of this controversy.

Mr. OWEN. I should like to ask the Senator from Montana whether he thinks this schedule should be written in the light of the difference in the cost of production at home and abroad? It is a novel question which I should like him, as a great expert, to answer.

Mr. CARTER. The Senator manifestly failed to hear my disclaimer of any expert knowledge.

Mr. OWEN. I now concede it.

Mr. CARTER. I believe the Senator is prepared to concede it, and was before he asked the question. I do not know that

at this hour, just upon the eve of a vote, it would be either instructive or agreeable to the Senator from Oklahoma or to the Senator from Montana, or to the Senate at large, to go into a general discussion of platform pledges and the manner of their execution.

Mr. GORE. Mr. President, the Senator from Montana [Mr. CARTER] complains of the conflicting figures submitted by various Senators with reference to the amount of duty involved in the cotton schedule. That Senator submitted, a few days ago, a golden rule by which we could extract the truth from conflicting and contradictory statements of this kind.

It is true that the Senator from Rhode Island [Mr. ALDRICH] stated last night that the duties involved amounted to \$500,000, and the Senator from Iowa [Mr. DOLLIVER] stated to-day that it involved only about \$55,000. The Senator from Idaho [Mr. BORAH] suggested this morning that it involved \$400,000 of duties. The Senator from Utah [Mr. SMOOT] made a statement which I did not fully understand; but, so far as I could gather, his contention was that it embraced about \$900,000 of duties.

There ought to be no difficulty in resolving these conflicting official statements into the absolute and infallible truth by merely applying the golden rule furnished to us a few days ago by the senior Senator from Montana. He suggested to us a formula as to how we could cast these conflicting statements into the crucible and take out the pure truth. I suggest to that Senator, that if he will take the statement made by the Senator from Rhode Island last night, the statement made by the Senator from Iowa this morning, the statement made by the Senator from Idaho this afternoon, all of which were official and from the same undoubted authority, and join to these the inspired guess of the Senator from Utah, add the four together and then divide the sum by four, he will have the exact and the infallible truth.

Mr. CUMMINS. Mr. President, if I believed that the amendment upon which we are about to vote involved only a remedy for the obvious defects in the Dingley law, I would not find it necessary to say a single word or to prolong by a single moment this discussion. The Senator from Montana, evidently misapprehending the amendment upon which we are about to vote, suggests that it is hardly worth while to take up our time over so small a matter as \$55,000 a year. I do not so understand this amendment, and I intend in the very few moments that I will ask your indulgence to treat it in the same admirable spirit that was manifested last night by the Senator from Rhode Island [Mr. ALDRICH].

I listened to his address with as much intentness as I ever bestowed upon any address, and I believe that I understood what he said. In so far as I am concerned personally, I believe the Dingley law, whether as originally interpreted or as recently interpreted, ought to be reduced.

I believe that upon the chief articles—not upon some of these fancy articles which have consumed so much time here, but in the main—the duties are too high, and I should like to see them reduced; and if we could find on this side of the Chamber those five patriots suggested by the Senator from Nevada [Mr. NEWLANDS], I would like very much to find them. But we have looked in vain for them, and we shall be content—at least, I shall be content—if we can hold the Dingley law as it is. It does not satisfy me, but we are in such grave peril of losing it that I am solicitous about holding on to what we have rather than attempting to secure that which we know is impossible.

Now, I address myself largely to the Senator from Rhode Island or any other member of the committee, and I desire to say to the Senate and to the members of the committee that I want to be interrupted, and I will yield for a question or an answer at any time any Senator thinks he can enlighten me or the Senate with respect to these questions. If I understood the discussion last night, the Senator from Rhode Island announced four propositions. I do not attempt, of course, to put them in his exact words, but I paraphrase them.

He first announced that it was necessary to change the Dingley paragraph 304, in order that there might be embraced within it an adequate duty upon higher-priced cloths with a count of threads of 50 or under per square inch. The Senator assents to the proposition, and I assent to the necessity for a change in paragraph 304. It has been only a question as to what duty should be placed upon those high-priced cloths that were obviously omitted from the protection of the statute in old paragraph 304, the present paragraph 312. I pass, therefore, from that, because there is no controversy there. We must not confuse this issue.

His second proposition was that it was necessary to count the threads of a superimposed figure, and thus put certain cloth into the proper paragraph, in order that it might be suitably assessed.

I think that is another of his suggestions of the obvious defects of the Dingley law. I agree with the Senator from Rhode Island with respect to it. It was not within human foresight to anticipate every form of cloth that the fancy or the genius of man might produce. I agree that the Dingley law was defective in that respect, and I am quite willing that upon such articles that could not be anticipated at that time there shall now be placed a suitable duty. The only difference there can be between myself and the Senate committee in that respect must necessarily be what duty is sufficient to protect the American market on that point.

The third proposition which he announced was that the Dingley law was manifestly defective in permitting certain colored cotton cloth of high price to enter the market at a low duty because the color was produced by superimposed thread. I agree with that proposition, and it remains only a matter of the quantity of the duty that shall be imposed.

His fourth proposition was that it was wise to substitute specific duties for the ad valorem duties of the Dingley law; that is, the ad valorem duties embracing those cloths of a value of more than 7 cents per square yard.

Mr. ALDRICH. From 7 to 20 cents. The present law provides for cloths valued at from 7 to 20 cents in various provisions.

Mr. CUMMINS. I named, however, the minimum value to which the ad valorem provision attached—7 cents per square yard—and he asserted that there had been no increase other than was necessary to remedy the obvious failures of the Dingley law to protect our market, the obvious failures of the men of 1897 to anticipate the conditions of the present hour. If that were true, I would find no difficulty, as the Senator from Iowa [Mr. DOLLIVER] has said, and as the Senator from Wisconsin [Mr. LA FOLLETTE] has said, in agreeing to a fair and reasonable imposition upon these goods.

But now my proposition is that the chief increase of the bill as reported by the Senate committee does not relate to any form of any cloth that has ever been in dispute before any board of appraisers or before any court in the land. If I am wrong about that, then I want to be corrected.

But first, before I reach that, the Senator from Rhode Island is mistaken in supposing that he has substituted specific duties for the ad valorem duties of the Dingley law. The wisdom of applying specific duties to a particular article lies in the possibility of applying the measure released or freed from any discretion or judgment or opinion; is it not? That is the only advantage that an ad valorem law has over a specific law; that is to say, if you provide in the law that the duty shall be 10 cents per hundred pounds, there can be no difference of opinion with regard to a hundred pounds; it does not involve any discretion whatsoever, and therefore it is vastly to be preferred wherever it can be applied. But the substitution of the committee in this case is not a substitution of a specific rate for an ad valorem rate, any more than it would be, if your rate was 25 per cent, to say that on a pound of goods worth \$100 the duty should be \$25. You still leave in the statute the element of value.

I am not criticising the committee on this account, because it is probably impossible that there shall be real specific duties applied to cotton cloth. I am only suggesting it in order to show that the reason why the committee has attempted to give for eliminating the ad valorem provision of the law of 1897 and of substituting therefor specific duties does not in fact exist, and the present provision has no advantage whatsoever, so far as the character of taxation is concerned, over the ad valorem duties of the Dingley law. For instance, it says that a certain rate shall be levied on cotton cloth worth more than 7 cents per yard. I am speaking now of the very first line of the amendment upon which we are to vote. It declares that the duty upon cotton cloth worth more than 7 cents a yard shall be 2½ cents. That is not a specific duty, because somebody must ascertain whether that cloth is worth 7 cents a yard or more. That involves precisely the same operation that any other ad valorem statute requires; and therefore I submit to the Senate that there was no reason for changing the ad valorem duty in the old paragraph 305, now paragraph 313, unless it was intended to increase or diminish the duties that were required by the law of 1897.

Now, I am not going through this schedule. It is tiresome enough. We have been illuminated by all the colors of the rainbow. We have seen every variety of cloth that human ingenuity ever produced. We have wandered amid the mazes of appraisers' decisions and appraisers' reputations and veracity; and all that sort of thing. I want to emerge for a moment from all these surrounding circumstances and come down now right to the very point at issue.

Take the first line of this amendment. It applies to cotton cloth unbleached worth more than 7 cents a yard, does it not,

and not more than 9 cents a yard? That is the cloth that will be governed by that part of the amendment. Suppose that that is a piece of cloth. There is not a figure on it. No man has worked his fancy on it. It is just a plain, unbleached piece of cotton cloth.

Mr. ALDRICH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. CUMMINS. I do.

Mr. ALDRICH. That piece of cotton cloth would not be worth 7 cents a yard. That is the answer to that question.

Mr. CUMMINS. How does the Senator from Rhode Island know that?

Mr. ALDRICH. I know by knowledge as to the character and value of cotton goods.

Mr. CUMMINS. It happens, however, that when the Dingley law was passed it said that any piece of unbleached cotton cloth worth more than 7 cents a yard should be dutiable at 25 per cent ad valorem.

Mr. ALDRICH. That is the contention which we are making. The courts decided that it should be dutiable at a cent a yard. That is one of the troubles of this whole bill.

Mr. CUMMINS. I beg pardon of the Senator from Rhode Island. No court has ever so decided. No court ever could decide so.

Here is a piece of cloth with 100 threads to the square inch in the warp and filling.

Mr. ALDRICH. The Senator was talking about 50 threads to the square inch.

Mr. CUMMINS. I am talking about paragraph 313.

Mr. ALDRICH. I thought the Senator was talking about paragraph 304 of the existing law.

Mr. CUMMINS. Not at all. I passed from paragraph 304, and I am now talking about paragraph 305 in the old Dingley law, or paragraph 313 in the present measure. It describes a cloth, unbleached, with 100 threads to the square inch, and says that if it is worth more than 7 cents a yard it shall pay a duty of 25 per cent ad valorem. That is true, is it not?

Now, the Senate committee takes that Dingley law and says that for that same piece of cloth—there is no mystery about that kind of cloth—if that same piece of cloth comes in and is worth 7½ cents per yard, it shall pay a duty of 2½ cents. If that is not an increase of duty upon that piece of cloth, then I am unable to understand the simplest operation of addition, subtraction, multiplication, and division.

Mr. ALDRICH. But, Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. CUMMINS. I do.

Mr. ALDRICH. The amendment of the committee not only says that, but it says that cloths which have heretofore paid under other provisions of the act of 1897, as construed for the first six or seven years that act was in operation, at 60 per cent ad valorem and 45 per cent ad valorem, shall be admitted under the provisions of this bill at 30 per cent, or the equivalent of 30 per cent ad valorem. That is where the whole controversy is involved. If it applied only to the one single piece of cloth the Senator has, there would be no contention about it at all; but by these various decisions—I do not care who they were made by—cloths originally intended to be assessed at 60 per cent and 45 per cent are brought down into the paragraph which the Senator is now alluding to.

Mr. CUMMINS. It must be evident that the Senator from Rhode Island wanders from the real issue. I understand perfectly that there may have been some evasions, depending upon the point of view from which you look at the Dingley law, but paragraph 313 simply covers cotton cloth, in the first part of it, with less than a hundred threads to the square inch. I am thinking about the great volume of cotton cloth. I do not mean only unbleached, but bleached and mercerized, if you please, that will come in and must come in under paragraph 313, if cloth a hundred threads only to the inch.

Mr. ALDRICH. But, Mr. President, there never will be a time in the history of this country when the great mass of cloths will come under that paragraph. The great mass of cloths do not come into this country at all. They are kept out, if you please, by the specific provision of paragraph 313, which takes care of all goods at 7 cents per yard or below. The Senator mistakes the character of the cotton-goods production of the United States. As I said last night, nine-tenths of this production is not affected by these changes from ad valorem to specifics. It is the fancy goods that we intended should pay 60 and 45 per cent that are affected by these provisions, and nothing else. The great mass of the goods that are manufactured in the United States, and used by the people of the United States, are not covered by these changes at all.

Mr. CUMMINS. Mr. President, the Senator from Rhode Island knows vastly more about that than I; but if there be but 10 per cent, it is still our duty to have the rate fixed right.

Mr. ALDRICH. It is certainly our duty to have the rate fixed right, and it is our duty to have the rate so levied as to stop transactions like that to which I called the attention of the Senate last night.

Mr. CUMMINS. Mr. President, the view of it that I am taking puts aside entirely all these controverted cloths. There is no question, there never has been any question, about plain cotton cloths, unless it arose under paragraph 304. There never has been, under paragraph 305, any question about plain cotton cloth.

Mr. ALDRICH. That is where the Senator is entirely mistaken. A very large part of this controversy came up under that very provision.

Mr. CUMMINS. Mr. President, I recognize that some of the controversies arose under paragraph 305, but they did not arise upon the kind of cloth to which I now refer, and it is utterly impossible that they should arise upon that kind of cloth.

Mr. ALDRICH. Very many of the soft fabrics were counted below 50 threads, or between 50 and 100, and would have been dutiable under the very provision the Senator is now talking about.

Mr. CUMMINS. Precisely; they would have been dutiable, if worth more than 7 cents a yard, at 25 per cent ad valorem. They would not have been dutiable at that rate if under paragraph 304, because, unfortunately, that provision was not attached to paragraph 304. But no matter what their value may have been, they would have been dutiable under the Dingley law at 25 per cent ad valorem if under 100 threads to the square inch.

Mr. ALDRICH. That is, supposing they were not covered by the provisions of 60 per cent ad valorem or 45 per cent ad valorem under the Dingley Act under other paragraphs.

Mr. CUMMINS. Precisely, Mr. President; but my complaint against this amendment is that, in the effort to correct abuses, if you please, which we all recognize, the extent of which, however, we can not exactly estimate—in the effort to correct those defects in the Dingley law you have raised the duty on every pound of cotton cloth. Under paragraph 305, worth more than 7 cents a yard—

Mr. ALDRICH rose.

Mr. CUMMINS. I retract that, because when you reach 9 cents a yard you then are in harmony with the Dingley law of 25 per cent. The very moment you pass beyond that you again rise above the Dingley law, and so on, and so on. I do not think it was necessary to incur the criticism of raising the duties on cotton cloth in order to adjust the troubles that have arisen with respect to the administration of the Dingley law. While I would gladly see the duties reduced, for I think that this industry could well afford a reduction of 20 per cent upon these duties, yet I have had the hope—it is the only hope that I am now permitted to cherish—that we may retain the Dingley law.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

Mr. BACON. On that let us have the yeas and nays.

The yeas and nays were ordered.

Mr. BACON. What is the particular amendment now? There have been a half dozen to the same paragraph.

The PRESIDING OFFICER. The amendment will be stated.

Mr. BACON. I do not care to have it read, but let it be indicated.

The SECRETARY. On page 98, beginning after the word "yard" and the semicolon in line 6, insert certain words.

Mr. BRISTOW. That is the committee amendment?

The PRESIDING OFFICER. It is the committee amendment. The Secretary will call the roll on agreeing to the amendment.

The Secretary proceeded to call the roll.

Mr. BEVERIDGE (when his name was called). I am paired with the junior Senator from California [Mr. FLINT]. If he were present and voting, I should vote "nay."

Mr. DEPEW (when his name was called). I am paired with the senior Senator from Maryland [Mr. RAYNER]. If he were here, he would vote "nay" and I would vote "yea."

Mr. FRAZIER (when his name was called). I have a pair with the Senator from Oregon [Mr. BOURNE]. I transfer that pair to the Senator from South Carolina [Mr. SMITH] and vote. I vote "nay."

Mr. FRYE (when his name was called). I am paired with the senior Senator from Virginia [Mr. DANIEL].

Mr. CULBERSON (when Mr. MARTIN's name was called).

The Senator from Virginia [Mr. MARTIN] is unavoidably absent. If he were present, he would vote "nay."

Mr. MONEY (when his name was called). I am paired with the Senator from Wyoming [Mr. WARREN]. If he were present, he would vote "yea." I transfer my pair to the Senator from Arkansas [Mr. DAVIS], and I vote "nay."

Mr. CURTIS (when Mr. NIXON's name was called). The junior Senator from Nevada [Mr. NIXON] requested me to announce that he is paired with the junior Senator from Alabama [Mr. BANKHEAD]. If the junior Senator from Nevada were here, he would vote "yea."

Mr. OLIVER (when his name was called). I am paired with the junior Senator from Oregon [Mr. CHAMBERLAIN]. If he were here, I should vote "yea."

Mr. ELKINS (when Mr. SCOTT's name was called). My colleague [Mr. SCOTT] is unavoidably detained from the Senate to-day. He is paired with the Senator from Florida [Mr. TALLIAFERRO]. If my colleague were present, he would vote "yea."

Mr. SMITH of Michigan (when his name was called). I again announce my pair with the Senator from Mississippi [Mr. McLAURIN]. I desire the Record to show that I would vote "yea," if he were present.

Mr. SUTHERLAND (when his name was called). I again announce my pair with the junior Senator from Tennessee [Mr. TAYLOR] and the transfer of my pair to the junior Senator from Montana [Mr. DIXON]. I vote "yea."

Mr. FLETCHER (when Mr. TALLIAFERRO's name was called). The Senator from Florida [Mr. TALLIAFERRO] is paired with the Senator from West Virginia [Mr. SCOTT]. If the Senator from Florida were present, he would vote "nay."

The roll call was concluded.

Mr. CLAPP (after having voted in the negative). Before the vote is announced, I notice that the Senator from North Carolina [Mr. SIMMONS], with whom I am paired, who I supposed was in the Chamber, is not here. I feel constrained, therefore, to withdraw my vote.

Mr. BACON rose.

Mr. CLAPP. If it is thought proper, I will let my vote stand.

Mr. BACON. I am quite sure that the Senator from North Carolina [Mr. SIMMONS] would vote "nay," if he were here.

Mr. CLAPP. Then, my vote will stand.

Mr. SHIVELY. The Senator from North Carolina [Mr. SIMMONS] was present and voted.

Mr. BEVERIDGE. His name was read at the desk as having voted.

Mr. LODGE. The name of the Senator from North Carolina [Mr. SIMMONS] was read by the Clerk.

The PRESIDING OFFICER. Does the Senator from Minnesota desire his name to stand?

Mr. CLAPP. Yes; under those circumstances.

The result was announced—yeas 39, nays 28, as follows:

YEAS—39.

Aldrich	Clark, Wyo.	Guggenheim	Penrose
Borah	Crane	Hale	Perkins
Bradley	Cullom	Heyburn	Piles
Brandegee	Curtis	Johnson, N. Dak.	Root
Briggs	Dick	Jones	Smoot
Bulkeley	Dillingham	Kean	Stephenson
Burnham	du Pont	Lodge	Sutherland
Burrows	Elkins	McCumber	Warner
Burton	Foster	McEnery	Wetmore
Carter	Gallinger	Page	

NAYS—28.

Bacon	Crawford	Gore	Overman
Bailey	Culbertson	Hughes	Owen
Bristow	Cummins	Johnston, Ala.	Paynter
Brown	Dolliver	La Follette	Shively
Burkett	Dolliver	Money	Smith, Md.
Clapp	Frazier	Nelson	Stone
Clay	Gamble	Newlands	Tillman

NOT VOTING—24.

Bankhead	Davis	Martin	Simmons
Beveridge	Depew	Nixon	Smith, Mich.
Bourne	Dixon	Oliver	Smith, S. C.
Chamberlain	Flint	Rayner	Tallaferro
Clarke, Ark.	Frye	Richardson	Taylor
Daniel	McLaurin	Scott	Warren

So the amendment of the committee was agreed to.

The PRESIDING OFFICER. The next amendment of the committee will be stated.

The SECRETARY. In paragraph 313, page 98, line 21, after the word "yard" and the semicolon, insert:

Valued at over 9 and not over 11 cents per square yard, 2½ cents per square yard; valued at over 11 and not over 12 cents per square yard, 4½ cents per square yard; valued at over 12 and not over 15 cents per square yard, 5½ cents per square yard; valued at over 15 and not over 16 cents per square yard, 6½ cents per square yard; valued at over 16 cents per square yard, 8 cents per square yard, but not less than 25 per cent ad valorem.

The PRESIDING OFFICER. The question is upon the amendment proposed by the Committee on Finance.

Mr. BACON. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. JOHNSTON of Alabama (when Mr. BANKHEAD's name was called). My colleague [Mr. BANKHEAD] is unavoidably absent. He is paired with the junior Senator from Nevada [Mr. NIXON]. If present, my colleague would vote "nay."

Mr. BEVERIDGE (when his name was called). I wish to again announce that I am paired with the junior Senator from California [Mr. FLINT]. If he were present, on this and subsequent committee amendments I should vote "nay," and he would vote "yea." I make this statement once for all, because I myself may have to go away in a moment or two, and it will not be necessary hereafter to announce this pair.

Mr. DEPEW (when his name was called). I again announce my pair with the senior Senator from Maryland [Mr. RAYNER]. If he were present, I should vote "yea."

Mr. CARTER (when Mr. DIXON's name was called). My colleague [Mr. DIXON] is unavoidably detained from the Chamber this afternoon. I desire to announce that he is paired with the junior Senator from Tennessee [Mr. TAYLOR]. If present, my colleague would vote "yea" on this and all the various amendments proposed by the committee to this schedule.

Mr. FRAZIER (when his name was called). I again announce my pair with the senior Senator from Oregon [Mr. BOURNE]. I transfer that pair to the junior Senator from South Carolina [Mr. SMITH], and vote. I vote "nay."

Mr. MONEY (when his name was called). I am paired with the Senator from Wyoming [Mr. WARREN], but I transfer that pair to the Senator from Arkansas [Mr. DAVIS], and vote. I vote "nay." The Senator from Wyoming, if present, would doubtless vote "yea."

Mr. OLIVER (when his name was called). I again announce my pair with the junior Senator from Oregon [Mr. CHAMBERLAIN].

Mr. SMITH of Maryland (when Mr. RAYNER's name was called). The senior Senator from Maryland [Mr. RAYNER] is paired with the senior Senator from New York [Mr. DEPEW]. If present, my colleague would vote "nay."

Mr. ELKINS (when Mr. SCOTT's name was called). I again announce the pair of my colleague [Mr. SCOTT], who is unavoidably absent, with the Senator from Florida [Mr. TALIAFERRO].

Mr. SMITH of Michigan (when his name was called). I again announce my pair with the Senator from Mississippi [Mr. McLAURIN]. I should like this announcement to stand for the day. If the Senator from Mississippi were present, I should vote "yea."

Mr. SUTHERLAND (when his name was called). I again announce my pair with the Senator from Tennessee [Mr. TAYLOR]; but I transfer that pair to the junior Senator from Montana [Mr. DIXON]. I make this announcement to apply to any further votes that may be taken during the day. I vote "yea."

Mr. FLETCHER (when Mr. TALIAFERRO's name was called). My colleague [Mr. TALIAFERRO] is unavoidably absent. He is paired with the Senator from West Virginia [Mr. SCOTT].

The roll call having been concluded, the result was announced—yeas 39, nays 29, as follows:

YEAS—39.

Aldrich	Clark, Wyo.	Guggenheim	Penrose
Borah	Crane	Hale	Perkins
Bradley	Cullom	Heyburn	Piles
Brandegee	Curtis	Johnson, N. Dak.	Root
Briggs	Dick	Jones	Smoot
Bulkeley	Dillingham	Kean	Stephenson
Burnham	du Pont	Lodge	Sutherland
Burrows	Elkins	McCumber	Warner
Burton	Foster	McEnery	Wetmore
Carter	Gallinger	Page	

NAYS—29.

Bacon	Culberson	Johnston, Ala.	Shively
Bailey	Cummins	La Follette	Simmons
Bristow	Dolliver	Money	Smith, Md.
Brown	Fletcher	Nelson	Stone
Burkett	Frazier	Newlands	Tillman
Clapp	Gamble	Overman	
Clay	Gore	Owen	
Crawford	Hughes	Paynter	

NOT VOTING—23.

Bankhead	Davis	Martin	Smith, Mich.
Beveridge	Depew	Nixon	Smith, S. C.
Bourne	Dixon	Oliver	Taliaferro
Chamberlain	Flint	Rayner	Taylor
Clarke, Ark.	Frye	Richardson	Warren
Daniel	McLaurin	Scott	

So the amendment was agreed to.

Mr. BACON. I desire to suggest to the Senator in charge of the bill that possibly we might economize time by taking the vote at one time on the amendments to the several paragraphs that are proposed to be disposed of this afternoon. They are all involved in the discussion which has been had, and all of them are of the same character.

Mr. ALDRICH. I should be very glad to have that done with the amendments to paragraphs 314, 315, 316, and 317, which involve the same question precisely. I should be glad to have the committee amendments all voted on at once and together as to those paragraphs.

Mr. LA FOLLETTE. I understand that that goes no further than paragraph 317.

Mr. ALDRICH. It includes paragraph 317.

Mr. LA FOLLETTE. That is all right.

The PRESIDING OFFICER. Is there objection to that request?

Mr. BACON. I make the request, Mr. President, that the vote upon the amendments to these several paragraphs, the numbers of which have been stated by the Senator from Rhode Island, be taken at the same time.

Mr. ALDRICH. Down to paragraph 317, inclusive.

Mr. BACON. From 314 to 317, inclusive.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from Georgia? The Chair hears none.

Mr. BACON. Upon that, Mr. President—

Mr. ALDRICH. Does the Senator from Georgia desire a record vote on that?

Mr. NEWLANDS. Mr. President, that does not preclude any debate upon these paragraphs?

Mr. ALDRICH. Oh, no.

Mr. OWEN. Mr. President, before the question comes to a vote, I want to remind the chairman of the Committee on Finance [Mr. ALDRICH] of his promise, at the proper moment, to explain the difference in the cost of production at home and abroad, as relates to these schedules. It is a matter of pressing interest.

Mr. ALDRICH. That promise will be kept in due time.

Mr. OWEN. The time has arrived, Mr. President, according to the promise made by the chairman of the Committee on Finance; and, no matter what his views may be upon the tariff, I have great confidence in his promises.

Mr. LA FOLLETTE. I ask for the yeas and nays.

Mr. NELSON. Mr. President, do I understand that this includes all amendments to the paragraphs, from paragraph 305 to 317, inclusive?

Mr. ALDRICH. No; from 314 to 317, inclusive.

Mr. NELSON. And no more?

Mr. ALDRICH. And no more.

Mr. NEWLANDS. Mr. President, I wish to say a few words regarding the observations of the Senator from Iowa. The Senator from Iowa [Mr. CUMMINS], in reply to my suggestion that the "progressives" upon the Republican side should point out the way in which the Democrats could follow to secure a reduction in the existing rates, declared that it would be utterly impossible to get the 5 Republican votes which I declared were necessary in order to accomplish the result. He looked around this Senate Chamber, and, after the repeated votes, was hopeless of changing those 5 votes. Now, I wish to address myself simply to the question of practical legislation, as to how the necessary 5 votes can be secured. I shall take only a few moments upon that proposition.

I suggest to the "progressive Republicans" that they have not yet exhausted all their resources. The power of recommendation regarding legislation is vested in the President of the United States. That power of recommendation, in connection with the veto, constitutes the President a part of the machinery of legislation.

I can understand how the President of the United States, with his judicial temperament, would hesitate to force upon Congress his views regarding a complicated piece of legislation, but I have not the slightest doubt that the President desires to fulfill the pledges of the Republican party made to the country, and to fulfill his own pledges to the country, and that he will hesitate to do nothing within his power to accomplish a very simple thing—the reduction of excessive duties, judged by the standard imposed upon the party by the Republican convention and advocated by the President himself.

While, therefore, the President, with his peace-loving and judicial temperament, may not be disposed to force prematurely upon Congress his views regarding this question, I have no doubt, when he realizes that his own party is in danger of repudiating party promises and of repudiating his own pledges to the people, that he will take prompt and decisive action.

That he can not do in a moment. A recommendation will involve consideration and deliberation; but I suggest that there is yet time for such consideration and deliberation before this bill is reported to the Senate for final action. I take it that at least three or four weeks will be taken up in the consideration of this tariff bill before it is reported to the Senate for final action.

Experts have been employed upon both sides. The Finance Committee has had the government experts, and various speakers have had experts at work upon different schedules and different items. The whole work is now mapped out in such a way that the President of the United States, bringing before him these experts, reviewing through his trusted officials the debates in this body, can come to some conclusion regarding this much-vexed question. Three weeks time he has for the consideration of this tariff, and during that time, with the aid of the government experts, with the aid of other experts, with the aid of trusted officials and advisers, with the aid of the debates with which this subject has been illuminated, he can prepare some recommendations, either general or special, upon this subject.

If the President of the United States delays, what will happen then? Suppose he waits until the bill is finally passed here and goes into conference? It is commonly stated that the bill will be shaped in conference. It is not so; the bill can only be fixed by either House between the upper and the lower rates, and if both the Senate and the House fail to reduce any of these excessive duties, the conferees can not act upon them; and if conference fails to accomplish the desired reforms, the only thing left is a veto, which, of course, will leave us where we began, with all the excessive duties still in force.

The suggestion comes from my friends upon both sides that they are weary—that they would like to escape a session tonight and to adjourn soon; but it seems to me that this is the appropriate time for these remarks, and that no other time so appropriate will be presented as that immediately following the remarks of the junior Senator from Iowa. Therefore, if the Senate will indulge me, I will, as briefly as possible, go on with my suggestion and conclude it. I hope to be brief. I would not willingly give inconvenience to Senators in this body; but, Mr. President, I was calling attention to the important fact that if this bill goes into conference, the action of the conferees is limited within a certain area; and if either House has failed to present a proper reduction of these duties, then the remedy is entirely without their reach.

Mr. President, the power of recommendation is one of the most valuable powers contained in our Constitution. It is the power given to the leader of a great party elected to the Presidency of the United States to indicate to the Congress what he regards as appropriate legislation. It is the only way in which the attention of Congress and the attention of the country can be focused upon needed reforms. That power was availed of by Mr. Roosevelt; and I undertake to say that if it had not been for the free exercise of that power by him not a single one of the reform measures of his administration would have been adopted.

Mr. ALDRICH. Will the Senator allow me?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Rhode Island?

Mr. NEWLANDS. Certainly.

Mr. ALDRICH. I desire to remind the Senator from Nevada that at half past 5, unless we should adjourn earlier, the Senate must take a recess for an evening session. I have suggested that, if a vote can be taken upon the particular amendments which are now pending, I then will move to adjourn until Monday. I hope the Senator will let us do that.

Mr. NEWLANDS. I will conclude my remarks in time to get a vote before half past 5.

Mr. ALDRICH. It takes about five minutes for a roll call.

Mr. KEAN. It takes seven minutes for a roll call.

Mr. NEWLANDS. I can understand why the Senator from Rhode Island should be solicitous that I should not pursue this line of suggestion. It is a practical suggestion; and I trust that the President of the United States will avail himself of it.

No one can criticize the President for not having made thus far such a recommendation. It only becomes a necessity when he finds that Congress is unwilling to act in the line of the reform to which he and his party are pledged; but if the "progressive Republicans" of this body present to the President of the United States a suggestion for a recommendation derived from their experience in this inquiry and debate, and the President of the United States recommends their suggestion to Congress, or if without the aid of the progressive Republicans of this body, upon his own initiative and inquiry, he makes a recommendation, which, if enacted into law, will lead to the reduction of excessive duties, he will bring behind it a

power of public opinion that will force its passage through this body.

The Senator from Rhode Island is omnipotent now because of the power of organization. The feeling is sedulously encouraged throughout this body that the men who are identified with him are the real Republicans, and that the men who are outside of his ranks and who wish to redeem in good faith party pledges are insurgent and rebellious. An endeavor is being made to impress the entire country with the idea that the men who stand in the Republican party for a reduction of excessive duties are not Republicans. Let the President accentuate this issue; let him present it clearly and decisively either in a recommendation regarding special schedules or in a general reduction of the rate of duty or in the declaration of a formula by which excessive duties may be gradually and automatically reduced, and he will bring behind his utterance the power of public opinion, that public opinion which was behind Roosevelt, and which drove the Senator from Rhode Island and Republicans of like view finally into reluctant acquiescence as to some of his reform policies to which they were opposed. The Senator from Rhode Island belongs to that class of statesmen who believe that everything that is right, and everything that ought to be is dangerous; but I can not believe that all the men who are associated with him are of that view. There are many of them who will follow a resolute President, insisting upon the principles his party has declared in its last platform, and appealing not only to Congress, but to the country upon the issue, and the organization which the Senator from Rhode Island has built up will melt away before a formulated public opinion directed and led by a President whom the people trust.

Mr. BACON. I wish to ask if we can not continue the session until the roll is called?

The PRESIDING OFFICER. The Chair would suggest that if the roll call is once commenced it will continue until concluded. The question is upon the several amendments which it was agreed should be voted upon in bulk. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. JOHNSTON of Alabama (when Mr. BANKHEAD's name was called). My colleague is unavoidably absent. He is paired with the junior Senator from Nevada [Mr. NIXON].

Mr. DEPEW (when his name was called). I transfer my pair with the senior Senator from Maryland [Mr. RAYNER] to my colleague, the junior Senator from New York [Mr. ROOT], and vote. I vote "yea."

Mr. FRAZIER (when his name was called). I transfer my pair with the senior Senator from Oregon [Mr. BOURNE] to the junior Senator from South Carolina [Mr. SMITH] and vote. I vote "nay."

Mr. OLIVER (when his name was called). I again announce my pair with the junior Senator from Oregon [Mr. CHAMBERLAIN]. If he were present, I should vote "yea."

Mr. SMITH of Maryland (when Mr. RAYNER's name was called). The senior Senator from Maryland [Mr. RAYNER] was paired with the senior Senator from New York [Mr. DEPEW], but that pair has been transferred to the junior Senator from New York [Mr. ROOT]. If my colleague were present, he would vote "nay."

Mr. FLETCHER (when Mr. TALLAFERRO's name was called). My colleague [Mr. TALLAFERRO] is unavoidably absent. He is paired with the Senator from West Virginia [Mr. SCOTT].

The result was announced—yeas 39, nays 28, as follows:

YEAS—39.

Aldrich	Clark, Wyo.	Gallinger	Page
Borah	Crane	Guggenheim	Penrose
Bradley	Cullom	Hale	Perkins
Brandeggee	Curtis	Heyburn	Piles
Briggs	Depew	Johnson, N. Dak.	Smoot
Bulkeley	Dick	Jones	Stephenson
Burnham	Dillingham	Kean	Sutherland
Burrows	du Pont	Lodge	Warner
Burton	Elkins	McCumber	Wetmore
Carter	Foster	McEnery	

NAYS—28.

Bacon	Crawford	Gore	Owen
Bailey	Culberson	Hughes	Paynter
Bristow	Cummins	Johnston, Ala.	Shively
Brown	Dolliver	La Follette	Simmons
Burkett	Fletcher	Nelson	Smith, Md.
Clapp	Frazier	Newlands	Stone
Clay	Gamble	Overman	Tillman

NOT VOTING—24.

Bankhead	Davis	Money	Scott
Beveridge	Dixon	Nixon	Smith, Mich.
Bourne	Flint	Oliver	Smith, S. C.
Chamberlain	Frye	Rayner	Tallaferro
Clarke, Ark.	McLaurin	Richardson	Taylor
Daniel	Martin	Root	Warren

So the amendments to paragraphs 314, 315, 316, and 317 were agreed to.

The PRESIDING OFFICER. The paragraphs the amendments to which have just been agreed to will, in the absence of objection, be considered as agreed to as amended. The Chair hears no objection.

Mr. ALDRICH. I move that the Senate adjourn.

The motion was agreed to, and (at 5 o'clock and 30 minutes p. m.) the Senate adjourned until Monday, June 7, 1909, at 10.30 o'clock a. m.

SENATE.

MONDAY, June 7, 1909.

The Senate met at 10.30 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington. The Vice-President being absent, the President pro tempore assumed the chair.

The Journal of the proceedings of Saturday last was read and approved.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a petition of the Reno Commercial Club, of Reno, Nev., praying for the adoption of certain amendments to the interstate-commerce law giving to the Interstate Commerce Commission the power to suspend the taking effect of proposed advances in existing rates or changes in rules pending a hearing, etc., which was referred to the Committee on Interstate Commerce.

Mr. GAMBLE presented a petition of the Western South Dakota Stock Growers' Association, praying for the ratification of such reciprocal trade relations with other governments as will encourage the export of live stock, which was ordered to lie on the table.

He also presented a petition of the Western South Dakota Stock Growers' Association, praying for the retention of the present import duty on cattle, with such reasonable adjustment and maximum and minimum schedules as shall best subserve the interests of the cattle growers of the country, which was ordered to lie on the table.

Mr. NIXON presented a petition of the Reno Commercial Club, of Reno, Nev., praying that an appropriation be made to enable the Interstate Commerce Commission to obtain the valuation of all railroad property in the United States, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Reno Commercial Club, of Reno, Nev., praying for the adoption of certain amendments to the interstate-commerce law giving to the Interstate Commerce Commission the power to suspend the taking effect of proposed advances in existing rates, etc., which was referred to the Committee on Interstate Commerce.

Mr. STONE presented a petition of the Master Bakers' Protective and Benevolent Association of St. Louis, Mo., praying for the enactment of legislation to prohibit gambling in wheat and in options upon wheat for future delivery, which was referred to the Committee on the Judiciary.

He also presented a petition of the employees of the Mound City Engraving Company, of St. Louis, Mo., praying that a duty of 35 cents per pound be placed on view cards, which was ordered to lie on the table.

He also presented a petition of the employees of the Kansas City Post, of Kansas City, Mo., praying for the repeal of the duty on print paper and wood pulp, which was ordered to lie on the table.

He also presented a memorial of the St. Louis Advertising Men's League, of St. Louis, Mo., remonstrating against the enactment of legislation providing license fees for posted display advertisements and signs, which was ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GUGGENHEIM:

A bill (S. 2537) granting an increase of pension to Niram N. Buttolph (with the accompanying paper);

A bill (S. 2538) granting an increase of pension to Samuel A. Stratton (with the accompanying paper); and

A bill (S. 2539) granting an increase of pension to Benjamin F. Noll (with the accompanying papers); to the Committee on Pensions.

By Mr. STONE:

A bill (S. 2540) granting an increase of pension to Samuel Durham; and

A bill (S. 2541) granting an increase of pension to Thomas Braswell; to the Committee on Pensions.

PRICES OF AGRICULTURAL IMPLEMENTS.

Mr. CURTIS submitted the following resolution (S. Res. 56), which was considered by unanimous consent and agreed to:

Senate resolution 56.

Resolved, That the Secretary of Commerce and Labor be requested to transmit to the Senate any information in the possession of his department relative to the prices at which agricultural implements manufactured in the United States are sold in foreign countries.

THE PHILIPPINE ISLANDS.

Mr. STONE. Mr. President, I have an article here by Mr. Erving Winslow, of Massachusetts, printed in the North American Review recently, relating to the Philippine Islands. We shall have that question up very soon on the pending bill. I ask that the article may be printed as a Senate document.

The PRESIDENT pro tempore. The Senator from Missouri asks that the article sent to the desk be printed as a document (S. Doc. No. 81).

Mr. KEAN. What is the article?

Mr. STONE. It is an article written by Mr. Winslow, of Massachusetts, dealing with our relations with the Philippine Islands.

There being no objection, the order was reduced to writing and agreed to, as follows:

Ordered, That the article, "The conditions and the future of the Philippine Islands," by Erving Winslow, be printed as a document.

PORTO RICO POWER AND LIGHT COMPANY.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, (S. Doc. No. 83), which was read and, with the accompanying paper, referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed:

To the Senate and House of Representatives:

In accordance with the provisions of section 32 of an act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900 (31 Stat., 84), I have the honor to transmit herewith for the consideration of the Congress certified copy of a franchise granted by the executive council of Porto Rico May 19, 1909, entitled "An ordinance amending an ordinance entitled 'A franchise granting to the Porto Rico Power and Light Company, its successors and assigns, the right to develop the water power known as "Comerio Falls," situated on La Plata River, for the generation of electrical energy, and to build, construct, erect, and maintain lines of wire for transmitting and distributing electrical energy for commercial and industrial purposes,'" approved by the governor May 24, 1909.

WM. H. TAFT.

THE WHITE HOUSE, June 7, 1909.

TELEPHONE SERVICE IN PORTO RICO.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States (S. Doc. No. 82), which was read and, with the accompanying paper, referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed:

To the Senate and House of Representatives:

In accordance with the provisions of section 32 of an act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900 (31 Stat., 84), and section 2 of a joint resolution amending said act approved May 1, 1900 (31 Stat., 716), I have the honor to transmit herewith copy of an ordinance passed by the executive council of Porto Rico May 20, 1909, entitled "An ordinance repealing an ordinance entitled 'An ordinance granting to Juan Bertran the right to construct, maintain, and operate a system of long-distance telephone lines between the playa of Yabucoa and the playa of Naguabo and their intervening towns and cities, together with local telephone systems in certain of said towns and local stations at other points.'"

WM. H. TAFT.

THE WHITE HOUSE, June 7, 1909.

THE TARIFF.

The PRESIDENT pro tempore. The calendar is in order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The PRESIDENT pro tempore. The pending paragraph is paragraph 318, page 108.

Mr. ALDRICH. The committee modify their amendment to paragraph 318 by striking out after the word "counted," in the